



# भारत का राजपत्र

## The Gazette of India

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सं० 45]

नई दिल्ली, शनिवार, नवम्बर 6, 1982/कार्तिक 15, 1904

No. 45]

NEW DELHI, SATURDAY, NOVEMBER 6, 1982/KARTIKA 15, 1904

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह प्रसंग संकलन के रूप में रखा जा सके

Separate paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों द्वारा जारी किए गए सांविधिक  
आदेश और अधिसूचनाएं

Statutory Orders and Notifications issued by the Ministries of the Government of India  
(other than the Ministry of Defence)

उपराष्ट्रपति सचिवालय

नई दिल्ली, 20 अक्टूबर, 1982

VICE-PRESIDENT'S SECRETARIAT

New Delhi, the 20th October, 1982

क्र० आ० 3731.—कुलाधिपति, पंजाब विश्व-विद्यालय, चण्डीगढ़ की हैसियत से पंजाब विश्व-विद्यालय अधिनियम 1947 की धारा-10(3) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, महर्षि आदेश देने हैं कि डा० आर० सी० पाल, कुलपति, पंजाब विश्व-विद्यालय, चण्डीगढ़, उन सभी लाभों के हकदार होंगे जो अधिसूचना संख्या-10-वी०सी०/पी०यू०/82 दिनांक 10 अगस्त, 1982 में पहले ही अधिसूचित किया गया है—उस तिथि से, जब पंजाब सरकार ने अपने अधिकारियों को वह सभी लाभ देना स्वीकार किया है।

S.O. 3731.—In exercise of the powers conferred by Section 10(3) of the Panjab University Act, 1947, the Chancellor of the Panjab University, Chandigarh is pleased to order that Dr. R. C. Paul, Vice-Chancellor, Punjab University will be entitled to the benefit already notified in Notification No. 10-VC/PU/82 dated 10th August, 1982 w.e.f. the date the same has been allowed by the Panjab State Government to its officers.

[No. 10-VC/PU/82]

A. D. JOSHI, Private Secy.  
to the Vice-President of India and  
Chancellor, Punjab University.

[संख्या-10-वी०सी०/पी०यू०/82]

ए० डी० जोशी,

भारत के उपराष्ट्रपति एवं पंजाब  
विश्व-विद्यालय के कुलाधिपति के निजी सचिव

(3941)

पूरा मंत्रालय

नई दिल्ली, 18 अक्टूबर, 1982

क्र० आ० 3732.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उपनिबंध (4)

के अनुकरण में गृह मंत्रालय के तन्मन्त्रित कार्यालयों, को, जिनके कर्मचारी बुख ने हिंदी का कार्यसाधन ज्ञान प्राप्त कर लिया है, अधिसूचित करती है :

1. उप महानिरीक्षक (उ व प क्षेत्र)  
केन्द्रीय औद्योगिक सुरक्षा बल  
ब्लॉक नं०-13, केन्द्रीय सरकार कार्यालय समूह,  
मोदी रोड, नई दिल्ली-110003
2. प्रभारी अधिकारी, के० ओ० मु० बल यूनिट,  
भारत रिफ्रेक्टोरी लि०, रांची रोड,  
पो० मरार, जिला हजारी बाग।
3. कमांडेंट, के० ओ० मु० बल० यूनिट,  
आर सी एफ, चैम्बर, बम्बई।
4. प्रभारी अधिकारी, के० ओ० मु० बल० यूनिट,  
आई टी आई पोल्वार्ड  
(केरल)
5. कमांडेंट, के० ओ० मु० बल यूनिट,  
कोचीन पोर्ट ट्रस्ट,  
कोचीन।
6. महायुक्त कमांडेंट,  
के० ओ० मु० बल यूनिट,  
कोचीन शिपयार्ड,  
कोचीन।

[संख्या 12017/1/82-हिंदी]

बी० एम० राय, उप सचिव

#### MINISTRY OF HOME AFFAIRS

New Delhi, the 18th October, 1982

S.O. 3732.—In pursuance of sub-rule (4) of rule 10 of the Official Languages (use for Official purposes of the Union), Rules, 1976, the Central Government hereby notifies the following offices of the Ministry of Home Affairs the Staff whereof have acquired the working knowledge of Hindi :—

1. Office of Deputy Inspector General  
(N & W Zone) Central Industrial  
Security Force, Block No. 13,  
Central Government Office Complex,  
Lodi Road, New Delhi-110003.
2. Officer-Incharge,  
C. I. S. F. Unit,  
Bharat Refractories Ltd.,  
Ranchi Road,  
P. O. Marar Dist Hazari Bagh.
3. Commandant,  
C. I. S. F. Unit,  
R. C. F.  
Chamber, Bombay.
4. Officer-Incharge,  
C. I. S. F. Unit,  
I. T. I. Palghat,  
(KERALA)
5. Commandant,  
C. I. S. F. Unit,  
Cochin Port Trust,  
Cochin.
6. Assistant Commandant,  
C. I. S. F. Unit,  
Cochin Shipyard,  
Cochin.

[No. 12017/1/82-Hindi]

B. M. RAO. Dy Secy,

#### बिजनेस मंत्रालय

##### आर्थिक कार्य विभाग

(बैंकिंग प्रभाग)

नई दिल्ली, 16 अक्टूबर, 1982

का० आ० 3733.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 56 के साथ पठित धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारतीय रिजर्व बैंक की विकास पर केन्द्रीय सरकार एतद्वारा घोषणा करती है कि उक्त अधिनियम की धारा 9 के उपबंध इस अधिसूचना के भारत को राजपत्र में प्रकाशित होने की तारीख से 1 मार्च, 1985 तक की अवधि के लिए चिपलून प्रबन्ध को-ऑपरेटिव बैंक लि०, चिपलून पर वहां तक लागू नहीं होंगे जहां तक इनका संबंध इस बैंक द्वारा गैर-बैंकिंग गतिविधि अर्थात् चिपलून में सबैड्स सं० 215 ए (1) ए पर चिपलून स्पिनस्पिन भवन नं० 1396/1625 की धारणा से है।

[संख्या 8-37/82-अ० सी०]

राम बेहरा, प्रवर सचिव

#### MINISTRY OF FINANCE

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 16th October, 1982

S.O. 3733.—In exercise of the powers conferred by Section 53 read with section 56 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of Section 9 of the said Act shall not apply to the Chiplun Urban Coop. Bank Ltd., Chiplun in so far as they relate to its holding of a non-banking asset viz. Chiplun Municipal House No. 1396-D/1625 at Chiplun Survey No. 215A(1)A for the period from the date of publication of this notification in the Gazette of India to 1st March, 1985

[No. 8-37/82-AC.]

RAAM BEHRA, Under Secy.

नई दिल्ली, 19 अक्टूबर, 1982

का० आ० 3734.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार भारतीय रिजर्व बैंक की विकास पर एतद्वारा घोषणा करती है कि उक्त अधिनियम की धारा 10-ख की उपधारा (1) और (2) के उपबंध, पंजाब को-ऑपरेटिव बैंक लिमिटेड, अमृतसर पर 1 अक्टूबर, 1982 से 31 दिसम्बर, 1982 तक 3 महीनों के लिए अवकाश उक्त बैंक में अपने पूर्णकालिक अध्यक्ष की नियुक्ति होने तक, इनसे से जो भी पहले हो, लागू नहीं होंगे।

[संख्या 15/18/82-बी० ओ० III]

एन० डी० बत्रा, प्रवर सचिव

New Delhi, the 19th October, 1982

S.O. 3734.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendations of the Reserve Bank of India, hereby declares that the provisions of sub-sections (1) and (2) of Section 10B of the said Act, shall not apply to Punjab Co-operative Bank Ltd., Amritsar for 3 months from 1st October, 1982 to 31st December, 1982 or till the appointment of the next whole-time Chairman of that bank, whichever is earlier.

[No. 15/18/82-B.O. III]

N. D. BATRA, Under Secy.

**वाणिज्य मंत्रालय**

(वाणिज्य विभाग)

नई दिल्ली, 6 नवम्बर 1982

का० आ० 3735—निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा सैमस जे०बी० बोडा मैरिन एंड जनरल सर्वे एजेंसिज प्राइवेट लिमिटेड, मेकर भवन, 1, श्री विठ्ठल-दाम ठाकरसी मार्ग, बम्बई-400 020 को उसमें उपाबद्ध अनुसूची में विनिर्दिष्ट खनिज तथा अयस्क का निर्यात में पूर्व निरीक्षण के लिए अभिकर्ण के रूप में एक वर्ष की अवधि के लिए मान्यता देती है।

**अनुसूची**

1. फेरोमैंगनीज के धातुमय मज्जित फेरोमैंगनीज।
2. निस्पष्ट बॉक्साइट सहित बॉक्साइट।
3. मैंगनीज डायक्साइड।
4. कान्थराइट।
5. सिलिमनाइट।
6. साक्षित जिंक सहित कच्चा जिंक।
7. परिदग्ध और निस्पष्ट कैल्सिड मैंगनेसाइट सहित मैंगनेसाइट।
8. बैराइट्स।
9. लाल आक्साइड।
10. पील, गैरिक।
11. सेल्युलोजी।
12. फेल्डस्पार।

[सं 5(6)/79-ए आई०एंड ईपी०]

**MINISTRY OF COMMERCE**

(Department of Commerce)

New Delhi, the 6th November, 1982

**S.O. 3735.**—In exercise of the powers conferred by Section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963) the Central Government hereby recognises for a period of one year M/s. J. B. Boda Marine & General Survey Agencies Private Limited, Maker Bhawan, 1, Sir Vithaldas Thackersey Marg, Bombay-400020, as an Agency for the inspection of Minerals and Ores specified in Schedule annexed hereto prior to export.

**SCHEDULE**

1. Ferromanganese, including ferromanganese slag.
2. Bauxite, including calcined bauxite.
3. Manganese Dioxide
4. Kyanite
5. Sillimanite
6. Zinc Ores, including zinc concentrates
7. Magnesite, including dead burnt and calcined magnesite
8. Barytes
9. Red Oxide
10. Yellow Ochre
11. Steatite
12. Feldspar

[No. 5(6)/79-E1&amp;EP]

**आवेष्ट**

का० आ० 3736—निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1963 (1963 का 22) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, केन्द्रीय सरकार को यह है कि भारत के निर्यात व्यापार के विकास के लिए ऐसा करना आवश्यक तथा समीचीन है कि विद्युत मोटरों और जनितों का उनके निर्यात में पूर्व क्वालिटी नियंत्रण और निरीक्षण करने के भारत सरकार के वाणिज्य एवं नागरिक पुनर्मुद्रालय (वाणिज्य विभाग) के आदेश सं० 2553 तारीख, 27 नवम्बर, 1980 का नीचे विनिर्दिष्ट रीति से संशोधन किया जाए।

और केन्द्रीय सरकार ने उक्त प्रयोजन के लिए नीचे विनिर्दिष्ट प्रस्ताव बनाए हैं और उन्हें निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1964 के नियम 11 के उपनियम (2) की अपेक्षानुसार निर्यात निरीक्षण परिषद् को भेज दिया है—

अतः अब, केन्द्रीय सरकार उक्त उपनियम के अनुसरण में उक्त प्रस्तावों का उन लोगों की जानकारी के लिए प्रकाशित करती है जिनके उनसे प्रभावित होने की संभावना है।

2. सूचना दी जाती है कि उक्त प्रस्तावों के बारे में कोई भी आक्षेप या सुझाव देने का इच्छुक व्यक्ति उन्हें हम अधिसूचना के राजपत्र में प्रकाशन की तारीख से पैंतालीस दिन के भीतर निर्यात निरीक्षण परिषद्, प्रगति टावर 12वीं मंजिल, 26, राजेन्द्र प्लेस, नई दिल्ली-8 को भेज सकेगा।

**प्रस्ताव**

भारत सरकार के वाणिज्य एवं नागरिक पुनर्मुद्रालय (वाणिज्य विभाग) के आदेश सं० का० आ० 2553, तारीख 27 नवम्बर, 1980 के पैरा 3 के अन्तर्गत पर निम्नलिखित पैरा रखा जाएगा, अर्थात्—

‘3. हम आदेश में जब तक कि मदों में अन्यथा अपेक्षित न हों।—

(क) “विद्युत मोटर” से वह मर्यात अभिप्रेत है जो विद्युत ऊर्जा को यांत्रिक ऊर्जा में संपरिवर्तित कर सकती है किन्तु विद्युत पंखे और आटोमोबाइल रेटार्डर इसके अन्तर्गत नहीं हैं।

(ख) “जनित” से वह मर्यात अभिप्रेत है जो यांत्रिक ऊर्जा को विद्युत ऊर्जा में संपरिवर्तित कर सकता है किन्तु आटोमोबाइल डायनेमो और साइकिल डायनेमो इसके अन्तर्गत नहीं हैं।”

[सं 6(36)/79-ई०आई०एंड ईपी०]  
सं० बी० कुकरेती, सयुक्त निदेशक

**ORDER**

**S.O. 3736.**—Whereas the Central Government is of opinion that in exercise of the powers conferred by section 6 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), it is necessary and expedient to amend the Order of the Government of India in the Ministry of Commerce & Civil Supplies (Department of Commerce) No. S. O. 2553, dated the 27th September, 1980, Subjecting Electric Motors and Generators to quality control and inspection prior to their export, in the manner specified below, for the development of the export trade of India;

And whereas the Central Government has formulated the proposal specified below for the said purpose and has forwarded the same to the Export Inspection Council as required by sub-rule (2) of rule 11 of the Export (Quality Control and Inspection) Rules, 1964;

Now, therefore, in pursuance of the said sub-rule, the Central Government hereby publishes the said proposal for the information of the public likely to be affected thereby

2. Notice is hereby given that any person desiring to forward any objection or suggestion with respect to the said proposal may forward the same within forty-five days of the date of the publication of this notification in the Official Gazette to the Export Inspection Council, Pragati Tower, 11th Floor, 26, Rajendra Place, New Delhi-8.

### PROPOSAL

In the Order of the Government of India in the Ministry of Commerce & Civil Supplies (Department of Commerce) No. S. O. 2553, dated the 27th September, 1980, for paragraph 3, the following paragraph shall be substituted namely :—

3. In this Order, unless the context otherwise requires,—

(a) "Electric Motor" means a machine which is capable of converting electrical energy into mechanical energy, but shall not include Electric Fans and Automobile Starters;

(b) "generators" means a machine capable of converting mechanical energy into electrical energy, but shall not include Automobile Dynamos and Bicycle Dynamos.

[No. (36)/76 EJ & EP]  
C. B. KUKREJI, Jt Director

### नागरिक प्रति संशोधन

(भारतीय मानक संस्था)

नई दिल्ली, 8-10-13

क्रमांक 3737—समय-समय पर संशोधन भारतीय मानक संस्था प्रमाणित चिन्ह विनियम 1955 के नियम 14 के उपविनियम (4) के अनुसार भारतीय मानक संस्था द्वारा अधिपूजित किया जाना है कि लाइसेंस संख्या सी.एम/एल-1074236 जिसके अन्तर्गत नीचे अनुसूची में दिए गए हैं लाइसेंसधारी के अपने अनुसूच पर 1982-07-16 से रद्द कर दिया गया है।

### अनुसूची

क्रम	लाइसेंस संख्या और तिथि	लाइसेंसधारी का नाम और पता
1.	सी.एम/एल-1074236 82-04-30	मैसर्स यूनाइटेड बैग्स प्रा. लि. 1/4 सी. खगेंद्रा चटर्जी रोड कलकत्ता 700002 (पं. बंगाल) इनका कार्यालय 10 कलाशायी कलकत्ता 700001 (पं. बंगाल)
रद्द किए गए लाइसेंस के प्रकीर्ण वस्तु/प्रक्रिया		संबंधित भारतीय मानक
380 ग्राम 2168 × 39 सिल्वर कपड़े	15 7406 (भाग 2)-1980	उर्वरक मराई के लिए परतदार
से तैयार किए गए उर्वरक मराई के लिए परतदार पट्टन बोरे	पट्टन बोरे को जगाए गए मरा 2-380 ग्राम/मि. 68 × 39 सिल्वर कपड़े से तैयार परतदार बोरे	

[सी.एम.डी. 55 1074236]  
ए.पी. बानेजी, अपर महानिदेशक

MINISTRY OF CIVIL SUPPLIES

INDIAN STANDARDS INSTITUTION

New Delhi, 82-10-13

S.O. 3733 In pursuance of sub-regulation (4) of regulation 14 of the Indian Standards Institution (Certification Marks), Regulations 1955 as amended from time to time, the Indian Standards Institution hereby notifies that Licence No

CM/L-1074236 particulars for which are given below has been cancelled with effect from 1982-07-16 at the request of the licensee

### SCHEDULE

Sl. No.	Licence No and Date	Name & Address of the licensee
(1)	(2)	(3)
	CM/L-1074236 82-04-30	M/s. United Bags Ltd, 1/4C, Khagendra Chatterji Road, Calcutta-700002 (WB) having their Office at 10, Clive Row, Calcutta-700001 (WB).
	Article/Process Covered by the Licensee Cancelled	Relevant Indian Standards
	(4)	(5)

Laminated Jute Bags for Packing fertilizers manufactured from 380g/m<sup>2</sup>, 68 × 39 Tar-jute bags for packing fertilizers-Part II laminated bags manufactured from 380 g/m<sup>2</sup>, 68 × 39 Tarjaulin fabric.

[CMD/55 : 1074236]

A.P. BANERJI, Additional Director General

### परमाणु ऊर्जा विभाग

आदेश

मुम्बई, 27 सितम्बर, 1982

क्रमांक 3738—राष्ट्रपति, केन्द्रीय विजिटर सेवा (वॉटरिंग, नियंत्रण तथा प्रकीर्ण) नियम, 1965 के नियम 9 के उप-नियम (2), नियम 12 के उप-नियम (2) के खंड (ख) तथा नियम 24 के उप-नियम (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, तारीख 21 जुलाई, 1979 के भारत के राजपत्र में प्रकाशित परमाणु ऊर्जा विभाग के तारीख 7 जुलाई, 1979 के सांविधिक आदेश 2537 में, जिसे बाद में तारीख 28-3-1981 के भारत सरकार के राजपत्र में प्रकाशित सांविधिक आदेश 1040 द्वारा संशोधित किया गया था, एतद्वारा संशोधन करते हैं। उस आदेश की अनुसूची में, मद संख्या (10) के कालम संख्या 3 और 4 में भाग 1-सामान्य केन्द्रीय सेवा वर्ग "ख" और मद संख्या (8) के कालम 6 में क्रमशः भाग 2 और 3—सामान्य केन्द्रीय सेवा वर्ग "ग" तथा "घ" में, जो कि भारी पानी परियोजनाओं के पदों के बारे में हैं, को धर्म प्रविष्टियों के स्थान पर निम्नलिखित प्रविष्टियाँ प्रतिस्थापित कर दी जाएँ,—

मुख्य कार्यपालक, भारी पानी परियोजनाएँ

[सं. 2/2/82-सतकं-]  
टी. सेतुमाधवन, निदेशक

DEPARTMENT OF ATOMIC ENERGY

ORDER

Bombay, the 27th September, 1982

S.O. 3738.—In exercise of the powers conferred by sub-rule (2) of rule 9, clause (b) of sub-rule (2), of rule 12 and

sub-rule (1) of rule 24 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, the President hereby makes the following amendments in the orders of the Department of Atomic Energy S.O. 2537, dated 7th July, 1979, published in the Gazette of India on the 21st July 1979 and subsequently amended vide S. O. No. 1040 and published in the Gazette of India on 28-3-1981. In the schedule to the said order, the Part I-General Central Services Group 'B' in column 3 & 4 of item (10) and in Part II & III-General Central Services Group 'C' and 'D' respectively in column 6 of item (ix) relating to posts in Heavy Water Projects for the entries, the following entries shall be substituted :

Chief Executive, Heavy Water Projects

[No. 2/2/82-Vig.]

T. SETHUMADHAVAN, Director

### ऊर्जा मंत्रालय

(पेट्रोलियम विभाग)

नई दिल्ली, 11 सितम्बर, 1982

क्र० अ० 3739--यत. पेट्रोलियम और खनिज पदार्थप्राप्ति (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम, रसायन और उर्वरक मंत्रालय (पेट्रोलियम विभाग) की अधिसूचना क्र० अ० सं० 1321 दि० 27-3-1982 द्वारा केन्द्रीय सरकार ने उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पादपलाइनों का बिछाने के प्रयोजन के लिए अर्जित करने का अर्हता प्रमाण प्रेषित कर दिया था.

और यत. यथ. प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है.

और आगे, यत. केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के लक्ष्य इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है.

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रवर्तन शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पादपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाना है.

और आगे उस धारा की उपधारा (4) द्वारा प्रवर्तन शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में लिखित हानि के बजाय इन्डियन प्रायस कॉर्पोरेशन लिमिटेड में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को लिखित होगा.

### अनुसूची

तहसील नम्बर	जिला, जाल धर	रा. य. पंजाब		
ग्राम का नाम	खसरा नं०	अंशफल	ह०	ऐ० बर्ग०मी०
1	2	3	4	5
खोजा	40/3 भिन	00	08	60
हु० नं० 284	46/4 भिन	00	05	57
	46/7 भिन	00	11	89
	46/14 भिन	00	07	34
	46/15 भिन	00	01	52
	46/16 भिन	00	00	36
	46/17 भिन	00	00	25

1	2	3	4	5
खोजा जार्री	46/25 भिन	00	09	36
हु० नं० 284	48/5 भिन	00	10	7
	48/6 भिन	00	07	34
	48/15 भिन	00	00	25
	49/10 भिन	00	03	29
	49/11 भिन	00	10	37
	49/20 भिन	00	10	37
	49/21 भिन	00	10	37
	58/1 भिन	00	07	34
	58/2 भिन	50	03	29
	58/9 भिन	00	10	37
	58/10 भिन	00	00	25
	58/12 भिन	00	10	37
	58/19 भिन	00	06	35
	58 74 भिन	00	01	01
	102 भिन	00	02	02
भूमियां	6/10 भिन	00	09	87
हु० नं० 285	6/11 भिन	00	05	57
	6/12 भिन	00	08	85
	6/18 भिन	00	08	10
	6/19 भिन	00	06	58
	6/23 भिन	00	07	84
	6/24 भिन	00	06	83
	7/4 भिन	00	03	04
	7/5 भिन	00	10	88
	7/6 भिन	00	04	81
	11/4 भिन	00	08	60
	11/5 भिन	00	06	07
	11/6 भिन	00	09	36
	12/10 भिन	00	05	31
	12/11 भिन	00	10	37
	12/12 भिन	00	04	05
	12/18 भिन	00	03	04
	12/19 भिन	00	11	64
	12/19 भिन	00	11	64
	12/23 भिन	00	12	40
	12/24 भिन	00	32	28
	16/10 भिन	00	01	01
	16/11 भिन	00	13	66
	16/12 भिन	00	00	25
	16/18 भिन	00	00	25
	16/19 भिन	00	13	41
	16/20 भिन	00	01	26
	16/22 भिन	00	01	77
	16/23 भिन	00	12	65
	17/3 भिन	00	00	00
	17/4 भिन	00	19	18
	17/5 भिन	00	01	26
	17/6 भिन	00	13	66
	17/7 भिन	00	00	25
	17/15 भिन	00	00	76
	27/3 भिन	00	03	04
	27/4 भिन	00	11	89



1.	2	3	4	5	1	2	3	4	5
बुधिया-जारी	27/6 मिन	00	10	88	बेगोबाल	10/7 मिन	00	00	51
ह० न० 285	27/7 मिन	00	03	79	ह० न० 289	10/8 मिन	00	11	61
	27/15 मिन	00	04	81		10/13 मिन	00	00	76
	28/11 मिन	00	09	61		10/14 मिन	00	13	41
	28/19 मिन	00	01	29		10/16/1 मिन	00	08	10
	28/20 मिन	00	06	07		10/16/2 मिन	00	03	79
	28/39 मिन	00	00	76		10/17 मिन	00	01	77
						10/23/2 मिन	00	04	05
जुलाह बाजार	28/25 मिन	00	02	79		11/21 मिन	00	10	12
ह० न० 296	29/21 मिन	00	00	76		12/1/1 मिन	00	05	31
	44/1 मिन	00	13	41		12/1/2 मिन	00	00	76
	44/2 मिन	00	00	25		12/2 मिन	00	08	10
	44/9 मिन	00	11	13		12/8 मिन	00	05	82
	44/10 मिन	00	01	77		12/9 मिन	00	08	10
	44/12 मिन	00	03	54		12/13 मिन	00	10	12
	44/13/1 मिन	00	03	29		12/14 मिन	00	04	05
	44/13/2 मिन	00	06	32		12/17 मिन	00	01	77
	44/17 मिन	00	08	35		12/52 मिन	00	10	12
	44/18 मिन	00	04	05		12/53 मिन	00	01	01
	44/24 मिन	00	07	84		12/54 मिन	00	01	52
	44/25 मिन	00	06	58		12/70 मिन	00	00	00
	45/5 मिन	00	00	76		12/87 मिन	00	00	76
	46/5 मिन	00	08	10		12/88 मिन	00	00	51
	47/1 मिन	00	04	30					
	47/9 मिन	00	02	02	फावडा	11/9 मिन	00	01	26
	47/10 मिन	00	11	29	ह० न० 288	11/12 मिन	00	08	60
	47/11 मिन	00	00	00		11/13 मिन	00	05	82
	47/12 मिन	00	13	16		11/17 मिन	00	04	81
	47/13 मिन	00	00	76		11/18 मिन	00	09	87
	47/18 मिन	00	13	41		11/24 मिन	00	11	38
	47/19 मिन	00	00	76		11/25 मिन	00	02	02
	47/23 मिन	00	05	57		13/5 मिन	00	12	65
	47/24 मिन	00	09	11		13/8 मिन	00	00	28
	47/80 मिन	00	01	52		14/1 मिन	00	01	26
	47/164 मिन	00	03	04		14/10 मिन	00	13	41
						14/11 मिन	00	01	52
खडकूबाल	30/16/2 मिन	00	02	02		14/12 मिन	00	12	90
ह० न० 287	30/17/2 मिन	00	06	83		14/18 मिन	00	11	38
	30/17/1 मिन	00	01	77		14/19 मिन	00	02	78
	30/24 मिन	00	00	00		14/23 मिन	00	01	31
	30/25 मिन	00	10	87		14/24 मिन	00	09	61
						25/10 मिन	00	05	82
बेगोबाल	4/20 मिन	00	05	82		25/11/1 मिन	00	04	55
ह० न० 289	4/21 मिन	00	10	12		25/11/2 मिन	00	02	78
	4/22/1 मिन	00	04	05		25/12/2 मिन	00	04	55
	5/3 मिन	00	07	08		25/18 मिन	00	02	02
	5/7 मिन	00	08	85		25/19 मिन	00	12	14
	5/8/1 मिन	00	04	30		25/22 मिन	00	00	00
	5/8/2 मिन	00	00	25		25/23 मिन	00	13	16
	5/14 मिन	00	05	82		25/24 मिन	00	00	76
	5/15 मिन	00	07	84		26/4 मिन	00	08	85
	5/16 मिन	00	08	33		26/5 मिन	00	07	84
	5/26 मिन	00	01	01		26/8 मिन	00	08	10
	10/2 मिन	00	11	89		32/3/3 मिन	00	00	76
	10/3/2 मिन	00	01	52		32/4 मिन	00	13	18

1	2	3	4	5	1	2	3	4	5
काबंडी	32/6/1 मिन	00	04	05	श्रीगणेश--शरी	2293 मिन	00	08	26
होन० 288	32/6/2 मिन	00	08	10	होन० 207	2294 मिन	00	05	18
	32/7/1 मिन	00	02	02		2302 मिन	00	06	14
	32/15/2 मिन	00	04	05		2303 मिन	00	07	10
	33/11 मिन	00	09	61		2307 मिन	00	05	95
	32/19 मिन	00	07	84		2308 मिन	00	08	45
	33/20 मिन	00	06	58		2309 मिन	00	04	22
	33/22 मिन	00	07	84		2310 मिन	00	03	07
	33/23 मिन	00	06	58		2314 मिन	00	10	56
	41/11 मिन	00	01	26		2367 मिन	00	01	54
	41/19 मिन	00	00	23		2833 मिन	00	04	61
	41/20 मिन	00	13	93		2845 मिन	00	01	92
	41/21 मिन	00	01	26		2846 मिन	00	07	10
	41/22 मिन	00	06	83		2848 मिन	00	02	50
	42/3 मिन	00	01	61		2851 मिन	00	07	87
	42/4 मिन	00	04	81		2852 मिन	00	01	92
	42/6/2 मिन	00	02	53		2856 मिन	00	02	30
	42/7 मिन	00	11	13		2857 मिन	00	06	91
	42/14 मिन	00	01	77		2858 मिन	00	08	06
	42/15 मिन	00	11	13		2859 मिन	00	01	73
	42/16 मिन	00	00	25		2864 मिन	00	01	54
	66 मिन	00	01	01		2907 मिन	00	03	38
	73 मिन	00	01	52		2909 मिन	00	07	49
	75 मिन	00	01	52		2910 मिन	00	06	91
	87 मिन	00	00	76		2914 मिन	00	09	22
	216 मिन	00	00	76		2915 मिन	00	04	61
	225 मिन	00	00	76		2918 मिन	00	05	95
	226 मिन	00	00	76		2919 मिन	00	02	88
श्रीगणेश	1722 मिन	00	01	54		2931 मिन	00	05	95
होन० 207	1724 मिन	00	00	77		2932 मिन	00	08	45
	1723 मिन	00	12	10		2933 मिन	00	02	30
	1814 मिन	00	12	29		2934 मिन	00	02	30
	1815 मिन	00	00	19		2935 मिन	00	04	03
	1816 मिन	00	07	10		2937 मिन	00	04	42
	1817 मिन	00	01	54		2938 मिन	00	00	00
	1818 मिन	00	05	76		2996 मिन	00	01	34
	1864/1 मिन	00	00	38		3281 मिन	00	05	18
	1865/1 मिन	00	05	57		3283/2 मिन	00	02	11
	2184 मिन	00	09	60		3283/3 मिन	00	09	79
	2185 मिन	00	00	19		3283/4 मिन	00	00	00
	2186 मिन	00	08	64		3283/5 मिन	00	12	48
	2188 मिन	00	00	38		3316/5 मिन	00	00	19
	2191 मिन	00	11	52		3322 मिन	00	08	26
	2202 मिन	00	05	38		3323 मिन	00	06	14
	2203 मिन	00	04	61		3327 मिन	00	04	80
	2206 मिन	00	00	19		3328 मिन	00	09	79
	2211 मिन	00	01	54		3329 मिन	00	03	26
	2220 मिन	00	00	19		3330 मिन	00	11	14
	2221 मिन	00	08	91		3335 मिन	00	00	19
	2226 मिन	00	10	37		3336 मिन	00	10	94
	2227 मिन	00	01	73		3343 मिन	00	01	73
	2223 मिन	00	01	34		3359 मिन	00	00	50
	2271 मिन	00	01	54		3360 मिन	00	06	91
	2280 मिन	00	10	37		3361 मिन	00	05	57
	2287 मिन	00	04	03		3362 मिन	00	06	14
	2288 मिन	00	09	02					

1	2	3	4	5	1	2	3	4	5
आरापह—जारी	3375 मिन	00	01	74	बखलौर	44/35/1 मिन	00	04	81
ह० न० 207	3376 मिन	00	01	73	ह० न० 1९9	44/25/2 मिन	00	05	06
	3396/1 मिन	00	00	58		47/3/2 मिन	00	05	06
	3397 मिन	00	05	95		48/1 मिन	00	10	63
	3404 मिन	00	09	41		48/9/1 मिन	00	07	34
	3405 मिन	00	07	10		48/9/2 मिन	00	04	05
	3412 मिन	00	07	49		48/10 मिन	00	04	30
	3413 मिन	00	05	76		48/13/2 मिन	00	03	54
	3414 मिन	00	07	10		48/13/1 मिन	00	09	11
	3418 मिन	00	04	22		48/13/3 मिन	00	00	00
	3420 मिन	00	00	96		48/17/1 मिन	00	00	51
	3420 (भाग ii)	00	03	65		48/17/2 मिन	00	00	76
	3543 मिन	00	09	22		48/18 मिन	00	01	01
	3545 मिन	00	03	66		48/24 मिन	00	07	59
	3546 मिन	00	10	94		48/26 मिन	00	03	04
	3547 मिन	00	00	00		54/1/1 मिन	00	02	02
	3549 मिन	00	00	38		54/11/2 मिन	00	01	77
	3550 मिन	00	11	90		54/11/3 मिन	00	00	00
	3551 मिन	00	02	11		54/11/4 मिन	00	01	26
	3559 मिन	00	01	15		54/11/5 मिन	00	00	00
	3560 मिन	00	11	90		54/11/6 मिन	00	01	52
	3561 मिन	00	00	38		54/11/7 मिन	00	03	79
	3568 मिन	00	08	45		54/12 मिन	00	00	51
	3569 मिन	00	00	00		54/19/3 मिन	00	02	02
	3570 मिन	00	11	90		54/19/4 मिन	00	11	13
	3571 मिन	00	02	11		54/22 मिन	00	02	78
	3573 मिन	00	01	15		54/23 मिन	00	11	13
	3577 मिन	00	00	77		55/4 मिन	00	10	12
	3598 मिन	00	05	57		55/5 मिन	00	04	05
	3599 मिन	00	12	86		55/6 मिन	00	11	13
	3603 मिन	00	06	53		55/15/1 मिन	00	00	00
	3608 मिन	00	01	34		63/3 मिन	00	05	06
	3613 मिन	00	04	42		63/4/1 मिन	00	06	58
	3614 मिन	00	05	45		63/4/2 मिन	00	01	52
	3616 मिन	00	08	83		63/6/2 मिन	00	01	76
	3617 मिन	00	05	76		63/6/3 मिन	00	01	01
	3618 मिन	55	07	10		63/6/4 मिन	00	02	78
मेखपुर	78/21 मिन	00	02	02		63/7 मिन	00	08	10
ह० न० 192	79/16 मिन	00	03	29		63/15 मिन	00	08	35
	79/25/1 मिन	00	11	13		64/20/1 मिन	00	08	10
	79/25/2 मिन	00	01	01		64/20/2 मिन	00	01	77
	80/5 मिन	00	00	00		64/21/1 मिन	00	00	51
	81/1 मिन	00	12	40		64/21/2 मिन	00	00	51
	81/2/1 मिन	00	00	51		64/22 मिन	00	10	12
	81/9/1 मिन	00	01	52		66/20/2 मिन	00	01	01
	81/9/2 मिन	00	08	66		66/21 मिन	00	13	16
	81/10/1 मिन	00	01	01		67/2/1 मिन	00	01	01
	81/12/2 मिन	00	02	53		67/3/1 मिन	00	00	51
	81/13/1 मिन	00	11	13		67/3/2 मिन	00	02	53
	81/17 मिन	00	05	06		67/7/1 मिन	00	00	51
	87/18 मिन	00	06	07		67/7/2 मिन	00	06	07
	397 मिन	00	00	51		67/8/1 मिन	00	05	82
बखलौर	44/17/1 मिन	00	06	83		67/8/2 मिन	00	00	76
ह० न० 199	44/24/2 मिन	00	05	82		67/8/3 मिन	00	01	52



1	2	3	4	5	1	2	3	4	5
बखलीर--(जारी)	67/14मिन	00	10	12	स्टेष्वा--(जारी)	54/25/3मिन	00	00	51
ह० न० 199	67/15मिन	00	03	54	ह० न० 197	54/27मिन	00	01	52
	67/16/1मिन	00	05	06		63/1मिन	00	06	07
	67/16/2मिन	00	05	82		63/9मिन	00	07	34
	67/25/2मिन	00	00	51		73/12मिन	00	08	60
	78/2मिन	00	11	13		63/12मिन	00	07	84
	78/8मिन	00	08	60		63/13मिन	00	07	34
	78/9मिन	00	05	06		63/17मिन	00	07	84
	78/13मिन	00	07	34		63/18मिन	00	07	84
	78/14मिन	00	06	83		63/24मिन	00	07	08
	78/16मिन	00	01	01		69/25मिन	00	07	84
	78/17मिन	00	09	36		64/5/1मिन	00	00	51
	78/26मिन	00	02	78		64/5/2मिन	00	07	08
	113मिन	00	02	03		68/5मिन	00	05	57
	118मिन	00	02	53		69/1मिन	00	07	34
	122मिन	00	01	52		69/9मिन	00	07	84
	123मिन	00	01	77		69/10/1मिन	00	07	84
	148मिन	00	02	02		69/12/1मिन	00	01	01
	149मिन	00	01	77		69/12/3मिन	00	04	30
	150मिन	00	03	04		69/12/4मिन	00	01	52
	158मिन	02	06	83		69/13/1मिन	00	08	35
	401मिन	00	00	51		69/13/2मिन	00	00	00
	434मिन	00	00	76		69/17मिन	00	02	53
	447मिन	00	00	76		69/18मिन	00	06	32
स्टेष्वा	37/24/1मिन	00	00	00		105मिन	00	01	26
ह० न० 197	37/24/2मिन	00	01	26		107मिन	00	01	52
	30/25/3मिन	00	01	77		448मिन	00	00	51
	51/9/3मिन	00	03	29		449मिन	00	02	02
	51/10/2मिन	00	09	61		470मिन	00	00	76
	51/12मिन	00	11	89		474मिन	00	01	52
	51/13/2मिन	00	03	29					
	51/17/3मिन	00	03	54	बहुलकलां ह० न० 196	173मिन	00	06	95
	51/18मिन	00	09	11		174मिन	00	02	50
	51/24मिन	00	11	38		180मिन	00	06	91
	51/25मिन	00	03	54		193मिन	00	04	03
	51/27मिन	00	02	78		194मिन	00	00	00
	52/5/1मिन	00	00	25		195मिन	00	02	88
	52/5/2मिन	00	00	25		196मिन	00	04	80
	53/5/1मिन	00	06	58		197मिन	00	04	42
	53/5/2मिन	00	03	29		198मिन	00	03	65
	54/1/2मिन	00	03	39		199मिन	00	00	77
	54/9/2मिन	00	04	55		260मिन	00	04	80
	54/10मिन	00	10	88		261मिन	00	04	80
	54/12/1मिन	00	04	05		262मिन	00	04	42
	54/12/2मिन	00	06	32		294मिन	00	01	54
	54/13मिन	00	05	31		308मिन	00	03	69
	54/17/2मिन	00	03	54		309मिन	00	04	99
	54/18/1मिन	00	09	87		310मिन	00	05	38
	54/24मिन	00	09	61		314मिन	00	00	19
	54/25/1मिन	00	02	28		315मिन	00	00	77
	54/25/2मिन	00	02	78		316मिन	00	04	80

1	2	3	4	5	1	2	3	4	5
सम्पत्ति ह० न० 196 (जारी)	317 मिन	00	00	77	सम्पत्ति ह० न० 5 (जारी)	43/13/2 मिन	00	00	51
	319 मिन	00	08	45		43/14/1 मिन	00	00	51
	311 मिन	00	05	19		43/16 मिन	00	00	25
	342 मिन	00	02	11		43/17 मिन	00	13	66
	313 मिन	00	05	95		43/18/1 मिन	00	01	01
	344 मिन	00	07	68		43/24/1 मिन	00	01	01
	382 मिन	00	00	77		43/24/2 मिन	00	00	51
	389 मिन	00	04	61		43/25/1 मिन	00	03	29
	384 मिन	00	06	72		43/25/2 मिन	00	08	35
	389 मिन	00	01	34		44/5/1 मिन	00	00	00
	409 मिन	00	04	80		46/5 मिन	00	02	28
	405 मिन	00	08	64		47/1 मिन	00	12	40
	407 मिन	00	05	38		47/9 मिन	00	10	88
	410 मिन	00	04	61		47/10/1 मिन	00	02	28
	411 मिन	00	01	34		47/12/1 मिन	00	02	02
	412 मिन	00	06	72		47/12/2 मिन	00	01	77
	413 मिन	00	00	96		47/13/1 मिन	00	00	25
	414 मिन	00	00	00		47/13/2 मिन	00	10	37
	421 मिन	00	00	58		47/17 मिन	00	09	87
	422 मिन	00	06	53		47/18 मिन	00	04	55
	436 मिन	00	09	41		47/24/2 मिन	00	05	57
	437 मिन	00	04	03		47/25 मिन	00	09	96
	442 मिन	00	02	69		47/27 मिन	00	00	25
	444 मिन	00	06	34		55/1/1 मिन	00	07	08
	445 मिन	00	03	46		55/1/2 मिन	00	00	76
	907 मिन	00	00	96		55/9/1 मिन	00	02	78
	939 मिन	00	16	18		55/9/2 मिन	00	05	82
	962 मिन	00	00	00		55/10/1 मिन	00	04	81
	963 मिन	00	10	94		55/10/2 मिन	00	01	01
	964 मिन	00	03	07		55/10/4 मिन	00	00	51
	967 मिन	00	02	69		56/5 मिन	00	06	58
	968 मिन	00	11	71		73 मिन	00	01	26
	969 मिन	00	02	11		272 मिन	00	00	76
	970 मिन	00	18	82		273 मिन	00	00	76
	971 मिन	00	02	30		299 मिन	00	00	76
	972 मिन	00	13	19		18/14 मिन	00	07	84
	975 मिन	00	00	19		18/15 मिन	00	08	54
	991 मिन	00	00	96		18/16/1 मिन	00	04	55
						18/16/2 मिन	00	07	34
						18/19/3 मिन	00	05	00
						17/20/3 मिन	00	02	78
						17/21/1 मिन	00	07	59
						17/21/2 मिन	00	50	06
						17/22/2 मिन	00	02	02
						20/2 मिन	00	13	16
						20/8 मिन	00	01	77
						20/7/2 मिन	00	01	26
सम्पत्ति ह० न० 5	31/16/4 मिन	00	02	78	सम्पत्ति ह० न० 2	18/14 मिन	00	07	84
	31/17 मिन	00	08	60		18/15 मिन	00	08	54
	31/25 मिन	00	12	40		18/16/1 मिन	00	04	55
	32/21 मिन	00	02	02		18/16/2 मिन	00	07	34
	43/1/1 मिन	00	06	58		18/19/3 मिन	00	05	00
	43/1/2 मिन	00	01	01		17/20/3 मिन	00	02	78
	43/1/4 मिन	00	05	57		17/21/1 मिन	00	07	59
	43/2/2 मिन	00	01	52		17/21/2 मिन	00	50	06
	43/8 मिन	00	01	01		17/22/2 मिन	00	02	02
	43/9/1 मिन	00	06	32		20/2 मिन	00	13	16
	43/9/2 मिन	00	07	34		20/8 मिन	00	01	77
	43/10 मिन	00	01	25		20/7/2 मिन	00	01	26
	43/12/1 मिन	00	00	51					
	43/18/1 मिन	00	13	16					

1	2	3	4	5	1	2	3	4	5
जप्योवाली	20/8/1 मिन	00	06	07	जप्योवाली	33/9/2 मिन	00	06	07
ह० न० 2 (जारी)	20/8/2 मिन	00	06	07	ह० न० 2 (जारी)	33/8 मिन	00	04	55
	20/9 मिन	00	00	00		33/13/1 मिन	00	07	34
	20/18/1 मिन	00	00	25		33/33/2 मिन	00	04	05
	20/14/1 मिन	00	09	36		33/14/2 मिन	00	03	54
	20/14/2 मिन	00	04	30		33/17/1 मिन	00	02	28
	20/15/2 मिन	00	00	76		33/17/2 मिन	00	00	51
	20/16/1 मिन	00	06	58		20/31 मिन	00	12	65
	20/16/2 मिन	00	06	83		137 मिन	00	01	52
	20/17/2 मिन	00	00	76		138 मिन	00	03	04
	20/25/2 मिन	00	01	26		269 मिन	00	00	00
	21/20/2 मिन	00	00	25		276 मिन	00	00	76
	21/21/1 मिन	00	02	53		277 मिन	00	09	76
	27/1/2 मिन	00	00	35		286 मिन	00	00	76
	27/2/1 मिन	00	04	55	खोतरा ह० न० 1	4/11/ मिन	00	11	89
	27/2/2 मिन	00	07	31		4/19 मिन	00	11	13
	27/8 मिन	00	11	64		4/20 मिन	00	03	54
	27/9 मिन	00	02	28		4/22 मिन	00	04	55
	27/13/1 मिन	00	01	52		4/23/1 मिन	00	09	87
	27/13/2 मिन	00	01	52		4/23/2 मिन	00	00	25
	27/14/1 मिन	00	11	64		5/4 मिन	00	08	85
	27/14/2 मिन	00	00	00		5/5 मिन	00	00	00
	27/16/2 मिन	00	10	88		5/6 मिन	00	12	40
	27/17 मिन	00	03	79		5/7 मिन	00	02	02
	27/25/1 मिन	00	02	78		5/15 मिन	00	02	78
	27/25/2 मिन	00	02	02		8/3 मिन	00	05	31
	26/21/1 मिन	00	09	87		8/4 मिन	00	08	60
	26/21/3 मिन	00	00	00		8/6 मिन	00	08	60
	31/1/1 मिन	00	02	28		8/7 मिन	00	01	31
	31/1/2 मिन	00	03	04		8/15 मिन	00	08	83
	31/2 मिन	00	09	61		9/11/1 मिन	00	07	59
	31/8/2 मिन	00	01	76		9/19 मिन	00	08	10
	31/8/4 मिन	00	06	58		9/20/1 मिन	00	03	29
	31/9/1 मिन	00	00	51		9/20/2 मिन	00	00	51
	31/9/2 मिन	00	05	31		9/30/3 मिन	00	02	02
	31/13/1 मिन	00	00	25		9/22/1 मिन	00	00	51
	31/13/3 मिन	00	05	57		9/22/2 मिन	00	05	57
	31/13/4 मिन	00	00	51		11/20 मिन	00	03	04
	31/14/1 मिन	00	01	01		11/21/1 मिन	00	02	78
	31/14/2/1 मिन	00	07	08		11/21/2 मिन	00	08	35
	31/16/1 मिन	00	04	55		11/22/1 मिन	00	03	79
	31/16/2 मिन	00	02	78		11/22/2 मिन	00	02	28
	31/17 मिन	00	06	58		12/2 मिन	00	10	12
	31/25/1 मिन	00	03	04		12/7/2 मिन	00	00	00
	31/25/2 मिन	00	05	31		12/8 मिन	00	11	64
	32/21 मिन	00	05	28		12/9 मिन	00	06	07
	33/1 मिन	00	09	61		12/13 मिन	00	02	53
	33/2 मिन	00	05	31		12/14/1 मिन	00	03	54
	33/9/1 मिन	00	03	29					

1	2	3	4	5
बीतरा ह० न० 1 (जारी)	12/16/2 मिन	00	08	10
	23/2/1/1 मिन	00	08	85
	23/2/1/2 मिन	00	00	00
	23/3/1/1 मिन	00	01	77
	23/3/1/2 मिन	00	00	00
	23/3/2/3 मिन	00	00	76
	23/7/2/1 मिन	00	04	55
	23/8/1 मिन	00	01	26
	23/8/2 मिन	00	08	35
	23/8/3 मिन	00	00	51
	23/14/1 मिन	00	02	78
	63 मिन	00	14	67
	76 मिन	00	02	53
	77 मिन	00	01	26
	1271 मिन	00	00	76
	272 मिन	00	00	76
	291 मिन	00	00	76

[सं० 12020/2/82-प्रौद्योगिकी]

## MINISTRY OF ENERGY

(Department of Petroleum)

New Delhi, the 11th October, 1982

S.O. 3739:—Whereas by a notification of Government of India in the Ministry of Petroleum, Chemicals and Fertilizer (Department of Petroleum) S.O. 1321 dated 27-3-1982 under Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act., 1962 (50 of 1962) the Central Government declared its intention to acquire the Right of User in the lands specified in the schedule appended to that notification for the purpose of laying pipeline

And Whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act submitted report to the Government.

And Further the Central Government has after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now Therefore : in exercise of the power conferred by Sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipelines.

And Further, in exercise of the power conferred by Sub-section (4) of that section the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on this date of the publication of this declaration in the Indian Oil Corporation Limited free from all encumbrances.

## SCHEDULE

Tehsil : Nawanshahr District : Jullundur State : Punjab

Name of village	Khasra No.	Area		
		H	A	Sq. M.
1	2	3	4	5
Khoja H.No. 284	46/3 Min.	00	08	60
	46/4 Min.	00	05	57
	46/7 Min.	00	11	89
	46/14 Min.	00	07	34
	46/15 Min.	00	01	52
	46/16 Min.	00	09	36
	46/17 Min.	00	00	25
	46/25 Min.	00	09	36
	48/5 Min.	00	10	37
	48/6 Min.	00	07	34
	48/15 Min.	00	00	25
	49/10 Min.	00	03	29
	49/11 Min.	00	10	37
	49/20 Min.	00	10	37
	49/21 Min.	00	10	37
	58/1 Min.	00	07	34
	58/2 Min.	00	03	29
	58/9 Min.	00	10	37
	58/10 Min.	00	00	25
	58/12 Min.	00	10	37
	58/19 Min.	00	06	32
	58/74 Min.	00	01	01
	58/102 Min.	00	02	02
Jhugian H.No. 285	6/10 Min.	00	09	87
	6/11 Min.	00	05	57
	6/12 Min.	00	08	85
	6/18 Min.	00	08	10
	6/19 Min.	00	06	58
	6/23 Min.	00	07	84
	6/24 Min.	00	06	83
	7/4 Min.	00	03	04
	7/5 Min.	00	10	88
	7/6 Min.	00	04	81
	11/4 Min.	00	08	60
	11/5 Min.	00	06	07
	11/6 Min.	00	09	36
	12/10 Min.	00	05	31
	12/11 Min.	00	10	37
	12/12 Min.	00	08	05
	12/18 Min.	00	04	04
	12/19 Min.	00	11	64
	12/23 Min.	00	12	40
	12/24 Min.	00	02	28
	16/10 Min.	00	01	01
	16/11 Min.	00	13	66
	16/12 Min.	00	00	25
	16/18 Min.	00	00	25
	16/19 Min.	00	13	41
	16/20 Min.	00	01	26
	16/22 Min.	00	01	77
	16/23 Min.	00	12	65
	17/3 Min.	00	00	00

1	2	3	4	5	1	2	3	4	5
Jhugian H.No. 285	17/5 Min.	00	01	26	Bogawal	10/17 Min	00	01	77
	17/6 Min.	00	13	66	H. No. 289	10/25/2 Min	00	04	05
	17/7 Min.	00	00	25		11/21 Min	00	10	12
	17/15 Min.	00	00	76		12/1/1 Min	00	05	31
	27/3 Min.	00	03	04		12/1/2 Min	00	00	76
	27/4 Min.	00	11	89		12/2 Min	00	08	10
	27/6 Min.	00	10	88		12/8 Min	00	05	82
	27/7 Min.	00	03	79		12/9 Min	00	08	10
	27/15 Min.	00	04	81		12/13 Min	00	10	12
	28/11 Min.	00	09	61		12/14 Min	00	04	05
	28/19 Min.	00	03	29		12/17 Min	00	01	77
	28/20 Min.	00	06	07		12/52 Min	00	10	12
	39 Min.	00	00	76		12/53 Min	00	01	01
Julahmajra H.No. 286	28/25 Min.	00	02	78		12/54 Min	00	01	52
	29/21 Min.	00	00	76		12/70 Min	00	00	00
	44/1 Min.	00	13	41		12/87 Min	00	00	76
	44/2 Min.	00	00	25		12/88 Min	00	00	51
	44/9 Min.	00	11	13	Phambra	11/9 Min	00	01	26
	44/10 Min.	00	01	77	H. No. 288	11/12 Min	00	08	60
	44/12 Min.	00	03	54		11/13 Min	00	05	82
	44/13/1 Min.	00	03	29		11/17 Min	00	04	81
	44/13/2 Min	00	06	32		11/18 Min	00	09	87
	44/17 Min	00	08	32		11/24 Min	00	11	38
	44/18 Min	00	04	05		11/25 Min	00	02	02
	44/24 Min	00	07	84		13/5 Min	00	12	65
	44/25 Min	00	06	55		13/6 Min	00	00	25
	45/5 Min	00	00	76		14/1 Min	00	01	26
	46/5 Min	00	08	10		14/10 Min	00	13	41
	47/1 Min	00	04	30		14/11 Min	00	01	52
	47/9 Min	00	02	02		14/12 Min	00	12	90
	47/10 Min	00	11	89		14/18 Min	00	11	38
	47/11 Min	00	00	00		14/19 Min	00	02	78
	47/12 Min	00	13	16		14/23 Min	00	04	81
	47/13 Min	00	00	76		14/24 Min	00	09	61
	47/18 Min	00	13	41		25/10 Min	00	05	82
	47/19 Min	00	00	76		25/11/1 Min	00	04	55
	47/23 Min	00	05	57		25/11/2 Min	00	02	78
	47/24 Min	00	09	11		25/12/2 Min	00	04	55
	80 Min	00	01	52		25/18 Min	00	02	02
	164 Min	00	03	04		25/19 Min	00	12	14
Kharkuwal	30/16/2 Min	00	06	02		25/22 Min	00	00	00
H.No. 287	30/17/2	00	06	83		25/23 Min	00	13	16
	30/17/1	00	01	77		25/24 Min	00	00	76
	30/24 Min	00	00	00		26/4 Min	00	08	85
	30/25 Min	00	10	37		26/5 Min	00	07	84
Bogawal	4/20 Min	00	05	82		26/6 Min	00	08	10
H. No. 289	4/21 Min	00	10	12		32/3/3 Min	00	00	76
	4/22/1 Min	00	04	05		32/4 Min	00	13	16
	5/3 Min	00	07	08		32/6/1 Min	00	04	05
	5/7 Min	00	08	85		32/6/2 Min	00	08	10
	5/8/1 Min	00	04	30		3. /7/1 Min	00	02	02
	5/8/2 Min	00	00	25		32/15/2 Min	00	04	05
	5/14 Min	00	05	82		33/11 Min	00	09	61
	5/15 Min	00	07	84		33/19 Min	00	07	84
	5/16 Min	00	08	35		33/20 Min	00	06	58
	5/26 Min	00	01	01		33/22 Min	00	07	84
	10/2 Min	00	11	89		33/23 Min	00	06	58
	10/3/2 Min	00	01	52		41/11 Min	00	01	26
	10/7 Min	00	00	51		41/19 Min	00	00	25
	10/8 Min	00	11	64		41/20 Min	00	13	91
	10/13 Min	00	00	76		41/21 Min	00	01	26
	10/14 Min	00	13	41		41/22 Min	00	06	83
	10/16/1 Min	00	08	10		42/3 Min	00	09	61
	10/16/2 Min	00	03	79		42/4 Min	00	04	81

1	2	3	4	5	1	2	3	4	5
Phambra	42/6/2 Min	00	02	53	Urapar H. No. 207	2915 Min	00	04	61
H. No. 288	42/7 Min	00	11	13		2918 Min	00	05	95
	42/14 Min	00	01	77		2919 Min	00	02	88
	42/15 Min	00	11	13		2931 Min	00	05	95
	42/16 Min	00	00	25		2932 Min	00	08	45
	66 Min	00	01	01		2933 Min	00	02	30
	73 Min	00	01	52		2934 Min	00	02	30
	78 Min	00	01	52		2935 Min	00	04	03
	87 Min	00	00	76		2937 Min	00	04	42
	216 Min	00	00	76		2938 Min	00	00	00
	225 Min	00	00	76		2996 Min	00	01	34
	226 Min	00	00	76		3281 Min	00	05	18
Urapar	1722 Min	00	01	54		3283/2 Min	00	2	11
H. No. 207	1723 Min	00	12	10		3283/3 Min	00	09	79
	1724 Min	00	00	77		3283/4 Min	00	00	00
	1814 Min	00	12	29		3283/5 Min	00	12	48
	1815 Min	00	00	19		3316/5 Min	00	00	19
	1816 Min	00	07	10		3322 Min	00	08	26
	1817 Min	00	01	54		3323 Min	00	06	14
	1818 Min	00	05	76		3327 Min	00	04	81
	1864/1 Min	00	00	38		3328 Min	00	09	79
	1865/1 Min	00	05	57		3329 Min	00	03	26
	2184 Min	00	09	60		3330 Min	00	11	14
	2185 Min	00	00	19		3335 Min	00	00	19
	2186 Min	00	08	64		3336 Min	00	10	94
	2188 Min	00	00	38		3343 Min	00	01	73
	2191 Min	00	11	52		3359 Min	00	00	58
	2202 Min	00	05	38		3360 Min	00	06	91
	2203 Min	00	04	61		3361 Min	00	05	57
	2206 Min	00	00	19		3362 Min	00	06	14
	2211 Min	00	01	54		3375 Min	00	01	34
	2220 Min	00	00	19		3376 Min	00	01	73
	2221 Min	00	06	91		3396/1 Min	00	00	58
	2226 Min	00	10	37		3397 Min	00	05	95
	2227 Min	00	01	73		3404 Min	00	09	41
	2233 Min	00	01	34		3405 Min	00	07	10
	2271 Min	00	01	54		3412 Min	00	07	49
	2286 Min	00	10	37		3413 Min	00	05	76
	2287 Min	00	04	03		3414 Min	00	07	10
	2288 Min	00	09	02		3418 Min	00	04	22
	2293 Min	00	08	26		3420 Min	00	00	96
	2294 Min	00	05	18		3420 (ii Part) Min	00	03	65
	2302 Min	00	06	14		3543 Min	00	09	22
	2303 Min	00	07	10		3545 Min	00	03	65
	2307 Min	00	05	95		3546 Min	00	10	94
	2308 Min	00	08	45		3547 Min	00	00	00
	2309 Min	00	04	22		3549 Min	00	00	38
	2310 Min	00	03	07		3550 Min	00	11	90
	2314 Min	00	10	56		3551 Min	00	02	11
	2367 Min	00	01	54		3559 Min	00	01	15
	2833 Min	00	04	61		3560 Min	00	11	90
	2845 Min	00	01	92		3561 Min	00	00	38
	2846 Min	00	07	10		3568 Min	00	08	45
	2848 Min	00	02	50		3569 Min	00	00	00
	2851 Min	00	07	87		3570 Min	00	11	90
	2852 Min	00	01	92		3571 Min	00	02	11
	2856 Min	00	02	30		3573 Min	00	01	15
	2857 Min	00	06	91		3577 Min	00	00	77
	2858 Min	00	08	06		3598 Min	00	05	57
	2859 Min	00	01	73		3599 Min	00	12	86
	2864 Min	00	01	54		3605 Min	00	06	53
	2907 Min	00	05	38		3608 Min	00	01	34
	2909 Min	00	07	49		3613 Min	00	04	42
	2910 Min	00	06	91		3614 Min	00	08	45
	2914 Min	00	09	22		3616 Min	00	08	83
						23617 Min	00	05	76



1	2	3	4	5	1	2	3	4	5
Urban H. No. 207	3618 Min	00	07	10	Bakhlapur	67/2/1 Min	00	01	01
Sheikhupur	78/21 Min	00	02	02	H. No. 199	67/3/1 Min	00	00	51
H. No. 182	79/16 Min	00	03	29		67/3/2 Min	00	02	53
	79/25/1 Min	00	11	13		67/7/1 Min	00	00	51
	79/25/2 Min	00	01	01		67/7/2 Min	00	05	07
	80/5 Min	00	00	00		67/8/1 Min	00	06	82
	81/1 Min	00	12	40		67/8/2 Min	08	00	76
	81/2/1 Min	00	00	51		67/8/3 Min	00	01	52
	81/9/1 Min	00	01	52		67/14 Min	00	10	12
	81/9/2 Min	00	08	60		7/16 Min	00	03	54
	81/10/1 Min	00	01	01		67/16/1 Min	00	05	06
	81/12/2 Min	00	02	53		67/16/2 Min	00	05	82
	81/13/1 Min	00	11	13		67/25/2 Min	00	00	51
	81/17 Min	00	05	06		78/2 Min	00	11	1
	81/18 Min	00	06	07		78/8 Min	00	08	60
	397 Min	00	00	51		78/9 Min	00	05	06
						78/13 Min	00	07	34
						78/14 Min	00	06	83
Bakhlapur	44/17/1 Min	00	06	83		78/16 Min	00	01	01
H. No. 199	44/24/2 Min	00	05	82		78/17 Min	00	09	36
	44/25/1 Min	00	04	81		78/26 Min	00	02	78
	44/25/2 Min	00	05	06		113 Min	00	02	02
	47/5/2 Min	00	05	06		118 Min	00	02	53
	48/1 Min	00	10	63		122 Min	00	01	52
	48/9/1 Min	00	07	34		123 Min	00	01	77
	48/9/2 Min	00	04	05		148 Min	00	02	02
	48/10 Min	00	04	30		149 Min	00	01	77
	48/12/2 Min	00	03	54		150 Min	00	03	04
	48/13/1 Min	00	09	11		158 Min	00	06	83
	48/13/2 Min	00	00	00		401 Min	00	00	51
	48/17/1 Min	00	00	51		434 Min	00	0	76
	48/17/2 Min	00	00	76		447 Min	00	00	76
	48/18 Min	00	01	01					
	48/24 Min	00	07	59	Raitainda H.No.197	37/24/1 Min	00	00	00
	48/26 Min	00	03	04		37/24/2 Min	00	01	26
	54/1/1 Min	00	02	02		37/25/2 Min	00	01	77
	54/11/2 Min	00	01	77		51/9/2 Min	00	03	29
	54/11/3 Min	00	00	00		51/10/2 Min	00	09	61
	54/11/4 Min	00	01	26		51/12 Min	00	11	89
	54/11/5 Min	00	00	00		51/13/2 Min	00	03	29
	54/11/6 Min	00	01	52		51/17/2 Min	00	03	54
	54/11/7 Min	00	03	79		51/18 Min	00	09	11
	54/12 Min	00	00	51		51/24 Min	00	11	38
	54/19/3 Min	00	02	02		51/25 Min	00	03	54
	54/19/4 Min		11	13		51/27 Min	00	02	78
	54/22 Min	00	02	78		52/5/1 Min	00	00	25
	55/23 Min	00	11	13		52/5/2 Min	00	00	25
	55/4 Min	00	10	12		53/5/1 Min	00	06	58
	55/5 Min	00	04	05		53/5/2 Min	00	03	29
	55/6 Min	00	11	13		54/1/2 Min	00	03	29
	55/15 Min	00	00	00		54/9/2 Min	00	04	55
	63/3 Min	00	05	06		54/10 Min	00	10	88
	63/4/1 Min	00	06	58		54/21/1 Min	00	04	05
	63/4/2 Min	00	01	52		54/12/2 Min	00	06	32
	63/6/2 Min	00	00	76		54/13 Min	00	05	31
	63/6/3 Min	00	01	10		54/17/1 Min	00	03	54
	63/6/4 Min	00	02	78		54/18/1 Min	00	09	87
	63/7 Min	00	08	01		54/24 Min	00	09	61
	63/15 Min	00	08	35		54/25/1 Min	00	02	28
	64/20/1 Min	00	08	10		54/25/2 Min	00	02	78
	63/20/2 Min	00	01	77		54/25/3 Min	00	00	51
	64/21/1 Min	00	00	51		54/27 Min	00	01	52
	64/21/2 Min	00	00	51		63/1 Min	00	06	07
	64/22 Min	00	10	12		63/9 Min	00	07	34
	66/20/2 Min	00	01	01		63/10 Min	00	08	60
	66/21 Min	00	13	16		63/12 Min	00	07	84

1	2	3	4	5	1	2	3	4	5
Raitainda H.No.197	63/13 Min	00	07	34	Chahalkalan H.No. 196	436 Min	00	09	41
	63/17 Min	00	07	84		437 Min	00	04	03
	63/18 Min	00	07	84		442 Min	00	02	69
	63/24 Min	00	07	08		444 Min	00	06	34
	63/25 Min	00	07	84		445 Min	00	03	46
	64/5/1 Min	00	00	51		937 Min	00	00	96
	64/5/2 Min	00	07	08		959 Min	00	10	18
	68/5 Min	00	07	57		962 Min	00	00	00
	69/1 Min	00	07	34		963 Min	00	10	94
	69/9 Min	00	07	84		964 Min	00	03	07
	69/10/1 Min	00	07	84		967 Min	00	02	69
	66/12/1 Min	00	01	01		968 Min	00	11	71
	69/12/3 Min	00	04	30		969 Min	00	02	11
	69/12/4 Min	00	01	52		970 Min	00	13	82
	69/13/1 Min	00	08	35		971 Min	00	02	30
	69/13/2 Min	00	09	00		972 Min	00	00	19
	69/17 Min	00	02	53		975 Min	00	00	19
	69/18 Min	00	06	32		991 Min	00	00	96
	105 Min	00	01	26	Mandiall H. No.50	31/16/4 Min	00	02	78
	107 Min	00	01	52		31/17 Min	00	08	60
	448 Min	00	02	51		31/25 Min	00	12	40
Chahalkalan H.No. 106	449 Min	00	02	02		32/21 Min	00	02	02
	470 Min	00	00	76		43/1/1 Min	00	06	58
	474 Min	00	01	52		43/1/2 Min	00	01	01
	173 Min	00	05	95		43/1/4 Min	00	05	57
	174 Min	00	02	50		43/2/2 Min	00	01	52
	180 Min	00	06	91		43/8 Min	00	01	01
	193 Min	00	04	03		43/9/1 Min	00	06	32
	194 Min	00	00	00		43/9/2 Min	00	07	34
	195 Min	00	02	88		43/10 Min	00	00	25
	196 Min	00	04	80		43/12/1 Min	00	00	51
	197 Min	00	04	42		43/13/1 Min	00	13	16
	198 Min	00	03	65		43/13/2 Min	00	00	51
	199 Min	00	00	77		43/14/1 Min	00	00	51
	260 Min	00	04	80		43/16 Min	00	00	25
	261 Min	00	04	80		43/17 Min	00	13	66
	262 Min	00	04	42		43/18/1 Min	00	01	01
	294 Min	00	01	54		43/24/1 Min	00	01	01
	308 Min	00	02	69		43/24/2 Min	00	00	51
	309 Min	00	04	99		43/25/1 Min	00	03	29
	310 Min	00	05	38		43/25/2 Min	00	08	35
	314 Min	00	00	19		44/5/1 Min	00	00	00
	315 Min	00	00	77		46/5 Min	00	02	28
	316 Min	00	04	80		47/1 Min	00	12	40
	317 Min	00	00	77		47/9 Min	00	10	88
	319 Min	00	08	45		47/10/1 Min	00	02	28
	341 Min	00	05	18		47/12/1 Min	00	02	02
	342 Min	00	02	11		47/12/2 Min	00	01	77
	343 Min	00	05	95		47/13/1 Min	00	00	25
	344 Min	00	07	68		47/13/2 Min	00	10	37
	382 Min	00	00	77		47/17 Min	00	09	87
	383 Min	00	04	61		47/18 Min	00	04	55
	384 Min	00	06	72		47/24/2 Min	00	05	57
	389 Min	00	01	34		47/25 Min	00	09	36
	403 Min	00	04	80		47/27 Min	00	00	25
	405 Min	00	08	64		55/1/1 Min	00	07	08
	407 Min	00	05	38		55/1/2 Min	00	00	76
	410 Min	00	04	61		55/9/1 Min	00	02	78
	411 Min	00	01	34		55/9/2 Min	00	05	82
	412 Min	00	06	72		55/10/1 Min	00	04	81
	413 Min	00	00	96		55/10/2 Min	00	01	01
	414 Min	00	00	00		55/10/4 Min	00	00	51
	421 Min	00	00	58		56/5 Min	00	06	58
	422 Min	00	06	53		73 Min	00	01	26
						272 Min	00	00	76

1	2	3	4	5	1	2	3	4	5
	273 Min	00	00	76					
	299 Min	00	00	76		33/1 Min	00	09	61
						33/2 Min	00	05	31
Jandiali H.No.2	18/14 Min	00	07	84		33/9/1 Min	00	03	29
	18/15 Min	00	03	54		33/9/2 Min	00	06	07
	18/16/1 Min	00	04	55		33/8 Min	00	04	55
	18/16/2 Min	00	07	34		33/13/1 Min	00	07	34
	18/16/3 Min	00	00	00		33/13/2 Min	00	04	05
	17/20/3 Min	00	02	78		33/14/2 Min	00	03	54
	17/21/1 Min	00	07	59		33/17/1 Min	00	02	28
	17/21/2 Min	00	05	06		33/17/2 Min	00	00	51
	17/22/2 Min	00	02	02					
	20/2 Min	00	13	16		20/31 Min	00	12	65
	20/3 Min	00	01	77		20/137 Min	00	01	52
	20/7/2 Min	00	01	26		20/138 Min	00	03	04
	20/8/1 Min	00	06	07		20/269 Min	00	00	00
	20/8/2 Min	00	06	07		20/276 Min	00	00	76
	20/9 Min	00	00	00		20/277 Min	00	00	76
	20/13/1 Min	00	00	25		20/286 Min	00	00	76
	20/14/1 Min	00	09	36					
	20/14/2 Min	00	04	30	Khatri H. No. 1	4/11 Min	00	11	89
	20/15/2 Min	00	00	76		4/19 Min	00	11	13
	20/16/1 Min	00	06	58		4/20 Min	00	03	54
	20/16/2 Min	00	06	83		4/22 Min	00	04	55
	20/17/2 Min	00	00	76		4/23/1 Min	00	09	87
	20/25/2 Min	00	01	26		4/23/2 Min	00	00	25
						5/4 Min	00	08	85
	21/20/2 Min	00	00	25		5/5 Min	00	00	00
	21/21/1 Min	00	02	53		5/6 Min	00	12	40
						5/7 Min	00	02	02
	27/1/2 Min	00	00	25		5/15 Min	00	02	78
	27/2/1 Min	00	04	55					
	27/2/2 Min	00	07	34		8/3 Min	00	05	31
	27/8 Min	00	11	64		8/4 Min	00	08	60
	27/9 Min	00	00	28		8/6 Min	00	08	60
	27/13/1 Min	00	01	52		8/7 Min	00	01	31
	27/13/2 Min	00	01	52		8/15 Min	00	06	83
	27/14/1 Min	00	11	64					
	27/14/2 Min	00	00	00		9/11/1 Min	00	07	59
	27/16/2 Min	00	10	88		9/19 Min	00	08	10
	27/17 Min	00	03	79		9/20/1 Min	00	03	29
	27/25/1 Min	00	02	78		9/20/2 Min	00	00	51
	27/25/2 Min	00	02	02		9/20/3 Min	00	02	02
						9/22/1 Min	00	00	51
	26/21/1 Min	00	09	87		9/22/2 Min	00	05	57
	26/21/3 Min	00	00	00					
						11/20 Min	00	03	04
	31/1/1 Min	00	02	28		11/21/1 Min	00	02	78
	31/1/2 Min	00	03	04		11/21/2 Min	00	08	35
	31/2 Min	00	09	61		11/22/1 Min	00	03	79
	31/8/2 Min	00	01	26		11/22/2 Min	00	02	28
	31/8/4 Min	00	06	58					
	31/9/1 Min	00	00	51		12/2 Min	00	10	12
	31/9/2 Min	00	05	31		12/7/2 Min	00	00	00
	31/13/1 Min	00	00	25		12/8 Min	00	11	64
	31/13/3 Min	00	05	57		12/9 Min	00	06	07
	31/13/4 Min	00	00	51		12/13 Min	00	02	53
	31/14/1 Min	00	01	01		12/14/1 Min	00	03	54
	31/14/2/1 Min	00	07	08		12/16/2 Min	00	08	10
	31/16/1 Min	00	04	55					
	31/16/2 Min	00	02	78		23/2/1/1 Min	00	08	85
	31/17 Min	00	06	58		23/2/1/2 Min	00	00	00
	31/25/1 Min	00	03	04		23/3/1/1 Min	00	01	77
	31/25/2 Min	00	05	31		23/3/1/2 Min	00	00	00
						23/3/2/3 Min	00	00	76
	32/21 Min	00	05	82		23/7/2 Min	00	04	55

1	2	3	3	5
	23/8/1 Min	00	01	26
	23/8/2 Min	00	08	35
	23/8/3 Min	00	00	51
	23/14/1 Min	00	02	78
	63 Min	00	14	67
	76 Min	00	02	53
	77 Min	00	01	26
	271 Min	00	00	76
	272 Min	00	00	76
	291 Min	00	00	76

[No. 12020/2/82-Prod.]

नई दिल्ली, 15 अक्टूबर, 1982

क्र० आ० 3740-एन. पेट्रोलियम और खनिज पाईपलाईन (भूमि में उपयोग के अधिकार का अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम, रसायन और उर्वरक मंत्रालय (पेट्रोलियम विभाग) की अधिसूचना क्र० आ० सं० 80 तारीख 18-12-81 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाईप लाईनों को बिछाने के प्रयोजन के लिए अजित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अजित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रबत शक्ति का प्रयोग करने हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाईपलाईन बिछाने के प्रयोजन के लिए एतद्वारा अजित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रबत शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में वित्तित होने के बजाय तेल और प्राकृतिक गैस आयोग में, सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को विहित होगा।

## अनुसूची

झालोरा-15 से जी० जी० एस० झालोरा-16

राज्य : गुजरात जिला : मेहसाना तालुका : कड़ी

गांव	सर्वे नं०	हेक्टेयर	ए. आर. ई. सेंटीयर
आदराज	1476/1	0	09 45
	1473	0	04 50
	1448	0	05 25
कार्ट ट्रैक		0	01 50
	1252	0	10 95
	1253	0	03 75
	1225	0	10 75
	1224	0	09 00
	1221/1	0	09 00
	1218/1	0	10 50
	1209/1 ए	0	01 00
	1209/2	0	03 00
	1210/2	0	03 50
	1210/1	0	14 50

1	2	3	4	5
	1194/1	0	11	25
	1194/2	0	04	65
	1198	0	17	55
	1199	0	13	50
	1179	0	12	30
	1187	0	07	50
	1186	0	07	50
	1185/2	0	13	50
	1182	0	04	50
	1184	0	19	05
	1113	0	02	00
	1112/2	0	12	10
	1111	0	05	70
	1110	0	06	15
	1108/1	0	06	00
	1108/2	0	09	00
	कार्ट ट्रैक	0	01	50
ग्रामजी मारा	155	0	15	00

[सं० 12016/63/83-प्रॉ०-1]

New Delhi, the 16th October, 1982

S.O. 3740.—Whereas by notification of the Government of India in the Ministry of Petroleum, Chemicals & Fertilizer, (Department of Petroleum) S.O. 80 dated 18-12-81 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to the notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

## SCHEDULE

Pipeline from Jhalora-15 to GGS Jhalora-16

State : Gujarat	District : Mehsana	Taluka : Kadi
Village	Survey No.	Hec- Are Can- tiare
Adraj	1476/1	0 09 45
	1473	0 04 50
	1448	0 05 25
	Cart track	0 01

1	2	3	4	5
	1252	0	10	95
	1253	0	03	75
	1225	0	10	75
	1224	0	09	00
	1221/1	0	09	00
	1218/1	0	10	50
	1209/1 A	0	01	00
	1209/2	0	02	00
	1210/2	0	03	50
	1210/1	0	14	50
	1194/1	0	11	25
	1194/2	0	04	65
	1198	0	17	55
	1199	0	13	50
	1179	0	12	30
	1187	0	07	50
	1186	0	07	5
	1185/2	0	13	5 <sup>0</sup>
	1182	0	04	50
	1184	0	19	05
	1113	0	02	00
	1112/2	0	12	10
	1111	0	05	70
	1110	0	06	15
	1108/1	0	06	00
	1108/2	0	09	00
	Cart track	0	01	50
Amaliyara	155	0	15	00

[No. 12016/63/81-Prod.I]

नई दिल्ली, 16 प्रक्तूबर, 1982

क्र० आ० 3741—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में ए० एम० बी० से अहमदाबाद-18 तक पेट्रोलियम के परिवहन के लिये पार्श्वलाईन तेल तथा प्राकृतिक गैस प्रायोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाईनों को बिछाने के प्रयोजन के लिये एतद्वाक्य अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पार्श्वलाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

अर्थात् कि उक्त भूमि में हितवन् कोई व्यक्ति, उस भूमि के लिये पार्श्व लाईन बिछाने के लिये आक्षेप सक्षम प्राधिकारी तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा, रोड, वडोदरा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिवृष्टतः यह भी कबूल करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

## अनुसूची

ए० कूप न० ए०एम० बी० से अहमदाबाद-18

राज्य:	गुजरात	जिला:	अहमदाबाद	तालुका:	दसक्रोई
गांव	सर्वे न०	हेक्टेयर	ए	आर	ई सेंटीयर
हाथीजन	245	0	08	10	
	कार्ट ट्रैक	0	00	80	

1	2	3	4	5
	222	0	17	10
	220/1/2	0	15	00
	221	0	04	05
	188/10/1	0	06	45
	189/1+2	0	07	80
	188/1+2+3+4	0	09	53
	191	0	13	50
	193/2	0	21	98
	194	0	14	40
	51/1 1-2	0	08	40
	52/2	0	23	55
	56/2	0	04	73
	56/8	0	06	72
	56/12	0	03	00
	56/13	0	24	30

[स० 12016/47/82-प्रो०]  
एल० एम० गंधर्व, निदेशक

New Delhi, the 16th October, 1982

S.O. 3741.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from well No. AMB to Ahmedabad-18 in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission :

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto :

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara (390 009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

## SCHEDULE

Pipeline from Well No. AMB to Ahmedabad-18  
State : Gujarat District : Ahmedabad Taluka : Dascroi

Village	Survey No.	Hec-tare	Are	Cent-tiare
Hathijan	245	0	08	10
	Cart track	0	00	80
	222	0	17	10
	220/1/2	0	15	00
	221	0	04	05
	188/10/1	0	06	45
	189/1+2	0	07	80
	188/1 1-2 1-3+4	0	09	53
	191	0	13	50
	193/2	0	21	98
	194	0	14	40



1	2	3	4	5
	51/1+2	0	08	40
	52/2	0	23	5
	56/2	0	04	73
	56/8	0	06	72
	56/12	0	03	00
	56/13	0	24	30

[No. 12016/47/82-Prod.]  
L.M. GOYAL, Director

**संस्कृति विभाग**  
(भारतीय पुरातत्व सर्वेक्षण)

नई दिल्ली, 20 अक्टूबर, 1982

का० भा० 3742—केन्द्रीय सरकार, प्राचीन स्मारक तथा पुरातत्वीय स्थल और अवशेष अधिनियम, 1958 (1958 का 24) की धारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत के राजपत्र, भाग 2, खंड 3, उपखण्ड (ii), तारीख 3 अक्टूबर, 1981 में पृष्ठ 3310-3311 पर प्रकाशित, भारत सरकार के संस्कृति विभाग (भारतीय पुरातत्व सर्वेक्षण) की अधिसूचना सं० का० भा० 2676, तारीख 8 सितम्बर, 1981 का विरुद्धित करती है।

[2/1/गंगा/1/71-एम०]

२० मित्र, महानिदेशक और संयुक्त सचिव, पदेन

**DEPARTMENT OF CULTURE**

(Archaeological Survey of India)

New Delhi, the 20th October, 1982

**S.O. 3742.**—In exercise of the powers conferred by section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby rescinds the Government notification, Department of Culture (Archaeological Survey of India) No. S.O. 2676, dated the 8th September, 1981, published in the Gazette of India, Part II-Section 3-Sub-section (ii), dated the 3rd October, 1981 at pages 3310-3311.

D. MITRA, Director General and Ex-officio Jt. Secy  
[2/1/Goa/1 71-M]

**MINISTRY OF LABOUR AND REHABILITATION**

(Department of Labour)

**CORRIGENDUM**

New Delhi, the 19th October, 1982

**S.O. 3743.**—In the 3rd line of the Ministry of Labour Order No. L-12012(211)/81-D, II(A), dated the 10th August, 1982, for the words "State Bank of India and Jaipur" read "State Bank of Bikaner & Jaipur".

[No. L-12012(311)/81-D, II(A)]

New Delhi, the 20th October, 1982

**S.O. 3744.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal Hyderabad, in the industrial dispute between the employers in relation to the management of State Bank of Hyderabad and their workman, which was received by the Central Government on the 15-10-82.

**BEFORE THE ADDITIONAL INDUSTRIAL TRIBUNAL-  
CUM-ADDITIONAL LABOUR COURT**

Industrial Dispute No. 2 of 78

Sri P. Vishwanathan, Head Clerk  
State Bank of Hyderabad  
C/o. The General Secretary,  
State Bank of Hyderabad Employees

Association, 1-8-726, Nallakuntak,  
Hyderabad (A.P.) 500 044.

...Petitioner

Versus

The General Manager,  
State Bank of Hyderabad,  
Gunfoundry,  
Hyderabad.

... Respondent

Ref. :—Lr. No. F. No. L-12012/114/77-D, II A, Government of India, Ministry of Labour, New Delhi, dated March, 1978,

This Industrial Dispute coming on for final hearing before me on the 15-6-1982 upon perusing the reference, claim statement, counter and other material papers on record and upon hearing the arguments of Shri A. K. Jayaprakash Rao, Advocate for the petitioner and M/s. K. Srinivasa Murthy, S. Ravindra Nath, C. Abraham, Advocates for the respondent and having stood over for consideration till this date, the Tribunal passed the following—

**AWARD**

This is a reference by the Government of India in the Ministry of Labour under Section 7-A, read with Clause (d) of sub-Section (1) of section-10 of the Industrial Disputes Act, 1947 (14 of 1947) of an industrial dispute existing between the employer, viz., the management of State Bank of Hyderabad and their workman in respect of the matter as specified in its schedule. The question referred for adjudication is :—

"Whether the action of the management of the State Bank of Hyderabad in denying seniority as Head Clerk from 29-11-69 and consequent promotion as Special Assistant to Shri P. Vishwanathan, Head Clerk, Hyderabad Branch of the Bank is justified? If not to what relief is the workman entitled?"

2. The case of the workman as set out in his claim statement filed before this Tribunal is that he was appointed on 15-2-1960 in the State Bank of Hyderabad, Gunfoundry, Hyderabad (hereinafter referred to as the 'Bank'). On completion of eight years of service and earning good reports and audit credentials the petitioner was promoted in 1968 as an Officer and was kept under probation for a period of one year as per the letter of 1st March, 1968.

3. The petitioner claims that he was a graduate and completed both parts of C.A.I.I.B., by 1964. The petitioner was discharging his duties with "conscientiousness" and protecting the interests of the Bank. The period of probation of the petitioner was however extended for six months after a lapse of one year, i. e. upto 30-9-1969. According to the petitioner this extension in the period of probation was advised in June, 69 instead before 1st March, 1969 and there was no further communication about the extension of the probation period from 1-10-69 to 1-3-70. The Bank however reverted the petitioner was however extended for six months after a lapse 24-2-1970 and the reversion was effected from 2-3-70. According to the petitioner, the post to which he was entitled on that date was Head Clerk but not of a Clerk. The decision of the Bank for reversion was arbitrary and the petitioner did not opt for such a reversion. The petitioner further stated that the Bank gave him the protection of his pay by its letter No. PF/P. 68/10734, dated 30-3-1970 on the basis that he has not been promoted as an Officer and what he would have drawn a Clerk in that scale adding two increments to the basic pay he was drawing on the date of his promotion as an award staff member. The petitioner further avers that this act of the Bank further confirmed his right to the benefits accrued in his substantive post. The petitioner stated that on reading the above two letters, it was clear that the reversion to his substantive post for which protection of pay was given on the basis that there has not been any promotion that would have been drawn in the permanent award clerical scale. When the Bank protected the original seniority in the clerical cadre that protection would continue and the petitioner would continue to get all the benefits along with all the other employees appointed alongwith him and having the same length of service for purposes of further promotions in the permanent cadre.



4. The petitioner then submitted a representation to protect his seniority as a Head Clerk which was advised through letter No. PI/P-68-14420, dated 24-4-72 having made necessary corrections to protect his seniority in the cadre of the Head Clerk at the first instance, and necessary corrections were also carried out in the presence of the petitioner in the seniority list adding his name at Sl. No. 79-A. Subsequently when the petitioner applied to know the date from which the seniority was protected in the cadre of Head Clerk the letter quoted above of 24-4-72 was withdrawn by letter No. Gr. 11/PF/P-68/19824 dated 3-5-73 without assigning any reasons therefor. The letter of withdrawal was signed by the Dy. Superintendent while the protection of seniority was signed by the Superintendent. The petitioner also pointed out that the original protection of seniority given was withdrawn after a lapse of 13 months. The petitioner further stated that the Bank by its communication dated 22-3-1974 gave the reasons and confirmed that he was deemed to be an award staff member right from 15-2-60 because it recognised the protection of seniority in the award cadre which restored the leave i.e. the sick leave on full pay availed as an officer by debit to ordinary leave on medical grounds as per the award rules and the fixation of pay adding two increments. The petitioner further pointed out that consequent upon the arbitrary decision of the Bank to revert him and reducing his emoluments by Rs. 150 per month as he was officer on probation, once again confirmed that he was enjoying all award protection benefits. Moreover, the Bank did not at any time inform the petitioner that his services in the officer cadre will not be counted for seniority in the award cadre. In addition to this, according to the petitioner his service as an officer is also counted as service in the award cadre for all practical purposes as he was paid the due increments in earlier award cadre for the period he was an officer on probation i.e. two years one day. Therefore the petitioner should get promotion as Head Clerk from 29-11-69 and Special Assistant promotion thereon on due date. The other employees appointed along with the petitioner on 15-2-60 were promoted as head clerks from 29-11-69 whereas he was given the promotion to the head clerk post originally from 8-1-71 and subsequently back dated to 16-4-70 arbitrarily and arrears were also paid. According to the petitioner, this has the effect of his becoming a junior to the employees appointed after him which is against the principles of natural justice. The rest of the claim statement from paragraph 10 onwards dealt with the several arguments of the petitioner as to why the seniority of the petitioner should be fixed with effect from 29-11-69 as a Head Clerk and the award of all consequential benefits to him. I shall deal with these arguments at the relevant stage and it is not necessary to advert to all of them as they are not facts of the case.

5. The Bank in its counter in the first four paragraphs stated that there is no valid industrial dispute within the meaning of said term under Section-2(k) and that the claim of the petitioner is not an industrial dispute within the meaning of that Section and it is only an individual claim of the petitioner against the Bank. The respondent further averred that the reference by the Central Government of this dispute is not valid and is not in accordance with law, as the considerations that prevailed with the Central Government in making the said reference are not germane to the exercise of the said power, because there was no existing dispute between the Bank and its workmen and there is no industrial unrest or apprehension of such unrest in this respondent Bank and consequently it was pointed out that the claim of the petitioner was not supported or canvassed by any substantial number of employees or by the majority of the workmen or by a union recognised by the Bank which is the State Bank of Hyderabad Staff Association and the majority union of the award employed. The State Bank of Hyderabad Employees Association which sponsored this dispute has only a membership of few hundreds as against the majority union. It is also averred that the Central Government in making this reference was primarily moved by erroneous considerations and a feeling that the Bank is denying the seniority of the petitioner because he happens to be the President of the State Bank of Hyderabad Employees' Association. Even otherwise the said considerations are not at all germane for the exercise of the powers vested in the Government under Section-10(1)(d) of the Industrial Disputes Act.

5. On the merits, it is the case of the Bank that there has no wrongful denial of seniority as Head Clerk from 29-11-1969 and consequent promotion as Special Assistant. The Bank

denied the correctness of all averments of the petitioner. The Bank stated that the petitioner was validly reverted with effect from 2-3-1970 from the post of Junior Officer in view of the unsatisfactory performance during the original as well as the extended periods of probation. Further, it is not open for the petitioner to canvass the validity or otherwise of the order of reversion from the cadre of Junior Officer to that of a clerk as such a claim is outside the scope and purview of the reference. According to the Bank, the petitioner was not entitled for any protection of seniority in the cadre of a clerk in relation to the period during which he had functioned as a Junior Officer. The Bank, by its letter dated 30-5-70 had by way of concession, fixed the basic pay of the petitioner in the clerical scale at the stage of Rs. 297 as on the date of his reversion as a Clerk, and there has been no recognition of any seniority of the petitioner by the Bank in the clerical cadre taking into account the period of his service as a Junior Officer which is a wholly different cadre. The Bank further asserted that the petitioner was offered the appointment as a Head Clerk in October, 1970 only on the basis that his service as Junior Officer is not to be reckoned as that of a clerk and the petitioner accepted the same and accordingly he was appointed as the Head Clerk with effect from 8-5-71. It is stated that the import and contents of the letter dated 24-4-72 have been deliberately misconstrued by the petitioner and by its letter of the above date the Bank had not advised the petitioner that in fixing seniority as Head Clerk his service as the Junior Officer had been taken into account and that his seniority had accordingly been fixed as Head Clerk from a date prior to the date of actual appointment i.e. 8th January, 1971, as Head Clerk. The Bank further made it clear that his seniority as Head Clerk could not be considered from any date earlier to his actual date of appointment viz., 8th January, 1971, and he also repeatedly informed that the period of his service as Junior Officer could not be considered in fixing the seniority for purposes of promotion to the post of Head Clerk and that his seniority as Head Clerk should be counted in the above cadre and that his further claim for seniority as Head Clerk from 29-11-69 was not tenable.

6. The Bank submitted that the petitioner was reverted to the cadre of Clerk with effect from 2-3-70. Certain members of the clerical staff who had by them communicated their acceptance to the offer earlier made by the Bank for appointment as Head Clerk were appointed as such with effect from 16-4-70. The petitioner could not be included in that list of appointees as Head Clerk from 16-4-70 as the petitioner's consent thereof could not be obtained in time and subsequent to his reversion as Clerk with effect from 2-3-70. The petitioner was accordingly appointed as Head Clerk against his acceptance letter of 14-10-70 along with the next immediate batch of employees as Head Clerk with effect from 8-1-71, along with the other clerks having seniority equal to that of the petitioner. Subsequent in view of the fact that the petitioner was in the clerical cadre as on 2-3-70 itself and that he was not considered for promotion as Head Clerk with the batch that was promoted from 16-4-70 because his consent therefor could not be obtained in time, the Bank in respondent to the requests of the petitioner agreed for the petitioner's seniority to be reckoned as Head Clerk with effect from 16-4-70 being the date of promotion of others as Head Clerks immediately after the reversion of the petitioner to the clerical cadre. The petitioner, according to the Bank, accepted this fixation of his seniority as Head Clerk with effect from 16-4-70 and at his request he was also paid the arrears of Special Allowance etc., payable to a Head Clerk, for the period from 16-4-70 to 7-1-71.

7. The counter further denied all the averments made by the petitioner in the paragraphs 10, 11, 12, 14 and 15 of his claim statement. The counter ultimately stated that the claim of the petitioner that his service as Clerk with effect from the date of his appointment as Clerk i.e. 15-2-60 should be taken into account for the purpose of fixation of his seniority as Head Clerk together with the period when he functioned as an officer was not tenable and his seniority in the cadre of Head Clerk was fixed with effect from 16-4-70 although he was actually promoted on 8-1-71 and the petitioner accepted this position by and under his letter dated 16-4-74. The Bank finally stated that if the claim of the petitioner of his seniority is accepted, it would affect the other employees who were promoted in the normal course during the period when the petitioner functioned as a officer and it would lead to a series of further controversy.

sies in relation to such employees. The Bank therefore prayed that the reference may be dismissed.

8. The several contentions and the counter contentions with reference to the dates and several letters made in the claim statement and the counter respectively are so numerous that they made it very difficult to make out what exactly is the claim of the petitioner and what is the case of the Bank. Benefit of all the references to the letters and dates and other contentions the simple claim of the petitioner is that he was appointed as a clerk and after putting in service of 8 years he was promoted as a Junior Officer and after putting in a service of 2 years and 1 day, he was reverted back to his original post of clerk without assigning any reasons, that in the meanwhile some of the clerks who were appointed alongwith him and who were appointed after him also were promoted as Head Clerks; that his reversion to the cadre of clerk is wrong because his seniority in the clerical cadre have been protected including the period he worked as Junior Officer and he should have been reverted as a Head Clerk giving him that seniority which he would have got had he continued as a Clerk along with others. The case of the Bank, on the other hand is that the period for which the petitioner worked as Junior Officer cannot be counted for purposes of his seniority in the clerical cadre because that would be giving him a double benefit, and secondly the clerks who were appointed as Head Clerk during the period he was acting as Junior Officer were asked to give their acceptance to their promotion as Head Clerks much earlier to the petitioner and the acceptance of the petitioner for his promotion to the post of Head Clerk was obtained on 14-10-70 and he was accordingly given the appointment of Head Clerk in the next immediate batch with effect from 8-1-71 and the Bank very fairly fixed his seniority in the cadre of Head Clerk with effect from 16-4-70 the date of promotion of others to the post of Head Clerk immediately after the reversion of the petitioner to the clerical cadre though he was actually promoted on 8-1-71.

9. It will have to be seen as to which of the contentions is correct and whether the Bank has really denied the seniority which is due to the petitioner.

10. Before dealing with the several contentions on the merits I shall first discuss the contentions of Mr. Ravindranath, learned Counsel for the Bank regarding the maintainability of this reference and other legal arguments.

11. It has already been seen that in the counter the Bank raised the plea that the claim of the petitioner is not an industrial dispute within the meaning of the term under Section-2(k) of the I.D. Act, and it is only an individual claim of the petitioner as against the Bank. It was also stated that the Central Government have no validity exercised the powers vested in it under the relative provisions of the I.D. Act. Mr. Ravindranath learned Counsel for the Bank argued that in this case the dispute was not espoused by an appreciable number of employees and therefore the individual dispute does not become an industrial dispute. He also argued that unless there is a resolution by the executive committee, the case of an individual workman cannot also be espoused. For this proposition Mr. Ravindranath placed reliance on the observations of their Lordships of the Supreme Court in the case of *The Bombay Union of Journalists vs. The Hindu* (1) The Hon'ble Mr. Justice J. C. Shah speaking for the bench observed as follows :—

"A dispute between an employer and a single employee cannot per se be an industrial dispute, but it may become one if it is taken up by the Union or a number of workmen. The persons whom seek to support the cause of a workman must themselves be directly and substantially interested in the dispute and this would depend on the facts and circumstances of each case. Persons who are not employees of the same employer cannot be regarded as so interested that by their support they may convert an individual dispute into an industrial dispute. In each case in ascertaining whether an individual dispute has acquired the character of an industrial dispute, the test is whether at the date of the reference the dispute was taken up or supported by the Union of the workmen of the employer against whom the dispute is raised by individual workman or by an appreciable number of workmen."

"If the dispute was in its inception an individual dispute and continued to be such till the date of the reference by the Government, it could not be converted into an industrial dispute by support subsequent to the reference even of workmen interested in the dispute. Just as subsequent withdrawal of the support will not take away the jurisdiction of an industrial Tribunal, the subsequent support will not convert what was an individual dispute at the time of reference into an industrial dispute."

12. The propositions emerge from the above observations of their Lordships, (1) that even an individual dispute may become an industrial dispute if it is taken up by the union or a number of workmen who are directly interested in the dispute; (2) if the dispute at its inception was an individual dispute and continued to be so till the date of reference, it would not be converted into an industrial dispute by the support subsequent to the reference, just as a subsequent withdrawal of support will not take away the jurisdiction of the Industrial Tribunal. Thus, in ascertaining whether an industrial dispute has acquired the character of an Industrial Dispute, the test is whether on the date of reference the dispute was taken up and supported by the union or workmen of the employer against whom the dispute is raised. These propositions of law are not demurred to by Mr. Jayaprakash Rao, learned Counsel for the petitioner, but what he contended was that in this case the cause was espoused by one union to which the petitioner belonged before the Conciliation Officer. Mr. Jayaprakash Rao secondly contended that this point about the dispute being only individual disputes has not been raised before the Conciliation Officer and therefore it cannot be allowed to be taken now. It is true that if a dispute is espoused by the Union before the date of reference, it would be an industrial dispute vide *Workmen of Indian Express Newspapers Ltd. vs Management* (2). In ascertaining whether an individual dispute has acquired the character of an industrial dispute, the test is whether on the date of reference the dispute was taken up or supported by the union of workmen of the employer against whom the dispute is raised. When the validity of the reference relating to a single workman is challengeable on the ground that what was referred is only an individual dispute and not an industrial dispute, it is not for the employer to establish that the dispute is not an industrial dispute. On the other hand it is for the workman to show that his cause has been sponsored by a union by a number of workmen of his class. It will have to be seen whether the petitioner has proved that this dispute was espoused by the union before the date of reference and it continued so until the reference is made. In his evidence the petitioner has stated that in the respondent Bank there are two unions; (1) State Bank of Hyderabad Employees Union and (2) State Bank of Hyderabad Staff Association. He also admitted that at the relevant time the Employees was having a membership of 1,500 members whereas the other association was having membership of 4,500 employees. In his chief examination the petitioner stated that the employees union espoused his cause and he was the President of the Union at that time. But he however did not produce any resolution to this effect. Nor has he filed into this Court the proceedings before the Conciliation Officer to show that at that stage his cause was espoused, by the General Secretary of the State Bank of Hyderabad Employees Union. In fact in cross examination the petitioner admitted that before this Court he has not filed any document to show that the Employees Association espoused his cause by way of resolution. He also admitted that it was correct that whenever his association espoused the cause of the employee, the managing committee used to pass resolution to that effect and that they have bye-laws of their association, but they were not filed into this Court. Before this Court there is absolutely no evidence whatsoever to show that the cause of the petitioner was espoused by the union of which he was a member, whether it is a minority union or a majority union.

13. Mr. Ravindranath secondly argued that in the matter of promotion it is purely the discretion of the employer and at best this Tribunal can only direct a consideration of the case of the petitioner, even in a case where it comes to the conclusion that the management was actuated

by malafides. No exception can be taken to the proposition of law enunciated by Mr. Ravindranath nor was it demurred to by Mr. Jayaprakash Rao. In the case of Brooke Bond (India) (Private) Ltd. vs. Their workmen<sup>(3)</sup> a full bench of five judges presided over by Sri P. B. Gajendragadkar, Chief Justice held that :

"Generally speaking, promotion is a management functions; but, it may be recognised that there may be occasions when a tribunal may have to interfere with promotion made by the management where it is felt that persons superseded have been so superseded on account of mala fides or victimisation. Even so after a finding of mala fides or victimisation, it is not the function of various employees itself and then decide whom to promote or whom not to promote. If any Industrial Tribunal finds that promotions have been made which are unjustified on the ground of malafides or of victimisation the proper course for it to take is to set aside the promotions and ask the management to consider the cases of superseded employees and decide for itself who to promote....."

14. In view of my finding that the petitioner has not proved by any evidence that his dispute was espoused by a Union, the reference is bad and could be terminated on that point itself. I however, proceed to consider the case on merits also because both the learned counsel argued the matter on merits at some length.

15. The claim of the petitioner in his case is that he should be given his seniority in the Head Clerk post from 29-11-1969 instead of from 16-4-1970 as was fixed by the Bank. It is necessary to state a few facts and dates which are not disputed in this case. The petitioner was appointed as a Clerk in the Bank in 15-2-60, by the letter dated 23-2-68 marked as Ex. M-1. An intimation was given to the petitioner that the executive committee had resolved to promote him to the cadre of Junior Officer with effect from 1st March, 1968 on a probation for one year and asked for his consent, which the petitioner gave by an endorsement dated 1st March, 1968 on Ex. M-1. He was continued as a Junior Officer till 1-3-70, having been reverted to the post of clerk by virtue of a communication dated 24-2-70 marked as Ex. M-7. The petitioner contended that this reversion was unjustified and arbitrary and that he did not opt for reversion. However, this contention of the petitioner does not seem to be correct. During his tenure as officer the petitioner was twice served with memo, one dated 13-12-68 marked as Ex. M-2 and another dated 20-2-69 marked as Ex. M-4. By the former the petitioner was intimated that there were reports against him and pointed out as many as five irregularities and he was advised "in his own interest" to overcome the shortcomings enumerated in that memo in good time. By the latter memo (Ex. M-4) it was brought to the notice of the petitioner that he was still advised "in his own interest" to overcome the shortcomings mentioned therein. Ultimately, By Ex. M-6 dated 19-6-69 the petitioner was intimated that as the reports on his work and conduct during the period of probation have not been satisfactory, the executive committee resolved that his period of probation be extended by six months from 1st March, 1969. Ultimately by Ex. M-7 the petitioner was reverted to his substantive post of clerk as the executive committee decided that his period of probation as Junior Officer be not extended any further. The petitioner submitted his explanations to these memos. However it will be seen that there were some complaints against the petitioner during his tenure as Junior Officer and his period of probation was also extended and ultimately he was reverted to his substantive post of Clerk. The matter of his reversion to the substantive post of clerk is not the subject matter of this reference and it need not be dealt with any greater length. To continue the narration of facts and dates, after his reversion to the cadre of clerk on 2-3-70 the petitioner was asked to give his consent to be promoted as a Head Clerk by a communication dated 14-10-70 (Ex. M-9) and the petitioner accepted the offer and signified his assent by an endorsement on Ex. M-9 and the petitioner was appointed as a Head Clerk by under an office order dated 2-1-71 which is marked as Ex. M-10. Thereafter the petitioner seems to have made representation to protect his

seniority as a Head Clerk but however this representation was neither filed by the petitioner nor by the Bank. The Bank by its communication dated 24-4-72 (marked as Ex. M-11) stated that with reference to his representation, they have made necessary correction to protect his seniority in the cadre of Head Clerk and advised him accordingly. According to the petitioner, his name in the seniority list at that time was fixed at Sl. No. 79/A. This fact is evident by the entry in the seniority list Ex. M-24. But a perusal of the other entries in Ex. M-24 shows that original name of the petitioner was shown at Sl. No. 103 and by rounding off that number his name was introduced between Sl. No. 79 and 80 giving this item No. 79/A. But the petitioner once again by his letter dated 1-5-72 (marked as Ex. M-12-B) wanted to be informed the date from which he has been treated as Head Clerk for purposes of seniority and the revised number in the seniority list maintained in the Staff Department. Thereafter the petitioner made two more representations one dated 25-5-71 (marked as Ex. M-12-A) and the other dated 12-10-72 (marked as Ex. M-12). The Bank by its communication dated 2-4-73 (marked as Ex. M-13) advised the petitioner that he has been treated as a Head Clerk from 8-1-71 for the purpose of seniority. The petitioner once again gave a representation dated 9-5-73, Ex. M-14, and requested that it may please be clarified further by advising him the exact date from which his seniority was protected, with reference to the representation of the petitioner. The Bank by its communication dated 31-5-73 advised the petitioner that the decision conveyed to the petitioner by Ex. M-13 holds good and that the communication dated 24-4-72, Ex. M-11, is treated as withdrawn, which meant that the protection given to the petitioner of his seniority as Head Clerk and the correction made in seniority list from Sl. No. 103 to Sl. No. 79/A was withdrawn (vide Ex. M-15). Thereafter the petitioner submitted a representation dated 12-3-74 (marked as Ex. M-16) requesting the Bank to consider under "principles of natural justice and protect his seniority." To this representation the Bank by its memo dated 22-3-74 (marked as Ex. M-17) intimated the petitioner that his promotion as Head Clerk would rank from 8-1-71 and stated the reasons therefor. It is necessary to extract those reasons, as these are crucial in determining as to how the Bank protected the seniority of the petitioner from a particular date and not as requested by the petitioner. The two reasons given are as follows:—

- (i) After reversion to the substantive post of Clerk your seniority was protected in the Award cadre and you were offered Head Clerk's promotion on 14th October, 1970 along with other eligible employees and posted to city Branch of 8th January, 1971. You have enjoyed the benefits of Officer during the period of 1st March, 1968 to 1st March, 1970, as such you cannot be allowed benefits of Head Clerk even for the purpose of the seniority.
- (ii) There were promotions to Head Clerks cadre on 16th April, 1970 on the basis of offers made earlier in 1970 when you could have been promoted as Head Clerk had you continued in the clerical cadre.

The Bank also intimated the petitioner by Ex. M-17 that the matter be treated as closed. Finally, the Bank by its communication dated 9th August, 1974 (Ex. M-18) communicated a memo fixing his seniority as Head Clerk. It is also necessary to extract the letter in toto because the Bank once again examining the position of seniority, fixed his date as from 16th April, 1970. The said communication reads as follows:

1. The question relating to your seniority as Head Clerk has been examined by us once again in detail in the light of your above representation.
2. You are hereby informed that we are still of the opinion that your claim for fixation of your seniority with effect from 29th November, 1969 is not tenable, for the reasons already detailed in our earlier letter No. Gr. II/PP/P. 68/11930 dated 22nd March, 1974.
3. It has, however, been decided to reckon you, for the purpose of your seniority as a Head Clerk, along with the batch of promotees of the category of Head Clerks listed in the Bank's Office order No. S-66/518 dated 16th April, 1970.



After the receipt of this letter the petitioner by his letter dated 16th August, 1974 stated that consequent upon including his name along with the batch of promotees of the cadre of Head Clerk listed in the Bank Communication dated 16th April, 1974, he is entitled to arrears and requested that suitable orders be given to that effect, that he may also be supplied with an office order under reference for his record. The Bank by its communication dated 27th August, 1974, (Ex. M-20) informed him that it has been decided to pay him the special allowance of Head Clerk with effect from 16th April, 1970, and he would be eligible for the consequential arrears for the period from 16th April, 1970 to 7th January, 1971. It is admitted that the petitioner was paid his arrears as per that order and he has also received the amount. Thereafter the petitioner made some representation in 1975 when the question of further promotion was given to some of the Head Clerks as Special Assistants. But those are not relevant for purpose of determining the question as to from what date the petitioner was actually entitled to the post of Head Clerk. If that is decided, the question of further promotion over the heads of other people who were already promoted to the post of Special Assistant from that of Head Clerk will automatically follow.

16 Now, the contention of the petitioner is that while he was acting as Junior Officer some of the clerks who were juniors to him are promoted as Head Clerks and on his reversion he should have been given the promotion of Head Clerk counting his seniority in the cadre of clerk and should have been put above them, giving him that seniority. The contention on behalf of the Bank, on the other hand is that the petitioner having been in the cadre of Junior Officer during that period, he will not be entitled to be posted as Head Clerk because that will amount to giving him double benefit. Mr. Ravindranath, learned Counsel for the Bank further contended that the Head clerk's post is also a promotional post according to the rules of the Bank and the petitioner simply by his seniority in the cadre of clerk will not be entitled to such a promotion and therefore he has been given the promotion after reversion as a Clerk, that even though he was actually appointed as a Head Clerk and taken charge as such on 8th January, 1971, he was given the seniority in the cadre of Head Clerk from 16th April, 1970, along with the batch whose acceptance was obtained prior and who were promoted. To my mind there seems to be substance in this argument of Mr. Ravindranath, learned Counsel for the Bank. During the period when the petitioner was functioning as Junior Officer a batch of clerks were promoted as Head Clerks. The petitioner could not be considered for the post of Head Clerk because he was already acting in higher post viz., Junior Officer. According to the rules of the Bank candidates for promotion as Head Clerks will be considered by a Committee and on their recommendation the promotions are affected. It is also evident from the record placed before me that consequent upon a decision by such a committee the acceptance is also obtained from the incumbents and after that he will be given the promotion. In view of the fact that the petitioner at the relevant time was acting as a Junior Officer his name was not considered and his acceptance was not obtained. In short, he was not a candidate for promotion as Head Clerk on that date. In this connection it will be pertinent to note that even by the date of his reversion to the post of Clerk some clerks were already considered for promotion as Head Clerks and their consent was already obtained and they were given the posting of Head Clerk from 16th April, 1970 and even along with that batch the petitioner's consent could not be obtained because by the date when the consent of the other candidates was obtained the petitioner was still acting as a Junior Officer. The petitioner after his reversion to the post of clerk was also considered for the promotion and he was called upon to give his consent by a communication dated 14th October, 1970 and after his consent was obtained he was appointed as a Head Clerk with effect from 8th January, 1971. But the management denying the fact that some clerks who were juniors to the petitioner were already appointed as Head Clerks with effect from 16th April, 1970 once again revised their decision to give seniority to the petitioner with effect from 8th January, 1971 the date on which he taken charge as Head Clerk and fixed his seniority with effect from 16th April, 1970 because that batch had taken charge as Head Clerks after the date of reversion of the petitioner. Mr. Jayaprakash Rao in his connection however contended that no reasons were assigned for the withdrawal of Ex. M-11 giving him the original seniority and fixing his seniority from 16th April, 1970. It is

true that no reasons were given for withdrawing Ex. M-11 but that does not seem arbitrary, because reasons were given in Ex. M-17, extracted above, for fixing his seniority as Head Clerk from 16th April, 1970, though these reasons were not communicated at the time when Ex. M-11 was withdrawn. It will be also pertinent to see in this connection that when once his seniority has been fixed with effect from 16th April, 1970 the petitioner himself accepted that position and in fact he accepted that promotion and received the payment of arrears from 16th April, 1970 to 8th January, 1971 in the cadre of Head Clerk and he was also paid those arrears and did not raise the question of seniority any more except the further promotion from Head Clerk to the Special Assistant. Promotion to the cadre of Head is also at the discretion vested in the Bank, and the Bank considered the claims of the petitioner for promotion as Head Clerk as soon as he was reverted to his substantive post of clerk and he was promoted to the post of Head Clerk with effect from 8th January, 1971 after obtaining his consent on 14th October, 1970. The sense of fair play and justice exhibited by the Bank is evident from the fact that even though the petitioner was actually promoted to the post of Head Clerk and he has taken charge from 8th January, 1971, it has given him the seniority in the post of Head Clerk from 16th April, 1970 in view of the fact that after the reversion of the petitioner to the post of clerk from 1st March, 1970 a batch of clerks who were juniors to the petitioner were actually working as Head Clerks though they were appointed as Head Clerks in consequence of the decision taken by the Bank at a time when the petitioner was working as a Junior Officer, and the petitioner has also accepted this position and has received the arrears and has only raised this point once again at the time of further promotion from Head Clerk to Special Assistant. Whatever it may be when once the rule position viz., that promotion to Head Clerk and further promotion to the post of Special Assistant is a matter of discretion of the Bank depending on seniority cum merit the petitioner has not got any automatic claim for these posts. The Bank has also right fixed the date as 16th April, 1970 from which the petitioner is entitled to be given seniority from that date. In this view of the matter I do not find any grounds for interfering with the decisions of the Bank.

17 The reference is therefore rejected and Award passed accordingly.

Dated : 16-6-1982.

#### Appendix of Evidence

##### List of Witnesses Examined

##### For Workman

Sl. No.	Witness	Particulars
1.	W.W-1	1-2-82/- 8-3-82
		Sri P. Vishwanathan.

##### For Management

1.	M-W-1	18-3-82/- 25-3-82	Sri J.V.M. Raju Officer Personnel Deptt.
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##### List of Documents Marked

##### For Workman

Sl. No.	Exhibit	Date of marking	Particulars
1.	Ex.W-1	7-4-75	Representation of the pener made before the Managing Director, SPH.

1	2	3	4	1	2	3	4
2. Ex.W-2	7-4-72	Lr. No. MD/F2/496/sent by the Manager to the petitioner.		13. Ex.M-12(a)	25-5-71	Representation of the petnr. for leave record.	
3. Ex.W-3	1-5-78	Requisition letter of the petitioner before Managing Director, S.B.H. for supply of the information mentioned therein.		14. Ex.M-12(b)	1-5-72	Representation of the petnr. to G.M. asking the date from which he was treated as a Head Clerk.	
4. Ex.W-4	4-5-78	Reply to Ex.W-3 sent by the Personnel Admn. Depot SBH Head Office, Hyderabad to the petitioner.		15. Ex.M-13	2-4-73	Memo issued by the Supdt. staff Deptt. to the petnr. furnishing his seniority as a Head Clerk.	
<b>For Management</b>				16. Ex.M-14	9-5-73	Clarification sought by the petnr. with regard to seniority as a Head Clerk.	
Sl. No.	Exhibit Number	Date of marking	Particulars				
1. Ex.M-1	23-2-66		Lr. No. PF/6480 issued by the Deputy General Manager, SBH, Gunfoundry.	17. Ex.M-15(a)	11-2-72	True copy of the representation made by the petnr. to protect seniority.	
2. Ex.M-2	13-12-68		Confidential letter No. PF/-40960 issued by the Dy. Gen. Manager, SBH, Gunfoundry.	18. Ex.M-15	31-5-73	Reply to Ex.M-14 conveyed to the petnr. by the Supdt. staff deptt.	
3. Ex.M-3	Various dates		Bunch of representation of the workmen and reply to it by the Management.	19. Ex.M-16	12-3-74	Representation of the petnr. made to the G.M. SBH, seeking protection of seniority.	
4. Ex.M-4	20-2-69		Confidential Lr. No. PF/6600 issued by the Dy. Gen. Manager, SBH, Gunfoundry.	20. Ex.M-17	22-3-74	Memo. No. Gr-II/PF/P-68/-11930 issued by the Supdt. intimating that the matter is closed.	
5. Ex.M-5	18-3-69		Representation of the petnr. before the Genl. Manager, SBH, Hyd.	21. Ex.M-18	9-8-74	Memo. No. Gr. II/PF/30442 with regard to the Fixation of seniority as Head Clerk.	
6. Ex.M-6	19-6-69		Confidential Lr. No. PF/18971 regarding extension of the probation of the petnr. for a period of six months.	22. Ex.M-19	16-8-74	Lr. dt. 16-8-74 requesting copy of the office order in connection with Fixation of seniority as Head Clerk.	
7. Ex.M-7	24-2-70		Reversion letter No. staff PF/-15952.	23. Ex.M-20	27-8-74	Memo. Gr. II/PF/P-68/33262 intimating the petnr. that he is eligible for the payment of consequential arrears for the period from 16-4-70 to 7-11-71.	
8. Ex.M-8	10-3-70		Lr. No. PF/P 68/10734 issued by the Supdt. Staff Deptt., in respect of fixing up the salary of the petnr. consequent the reversion as Clerk.	24. Ex.M-21	7-4-75	Representation of the petnr. before the M.D., SBH, Hyd.	
9. Ex.M-9	14-10-70		Lr. No. PF/P-68 issued by the Supdt. staff Dept. calling option of the petnr. for consideration to the posts of Head Clerk.	25. Ex.M-22	17-4-75	Memo No. Gr. II/PF/P-68/-16707 issued by the Asst. Gen. Manager.	
10. Ex.M-10	2-1-71		Office order No. S. 66/1 with regard to the posting of Head Clerks.	26. Ex.M-23	1-5-81	Office order issued redesignating Head Clerks as spl. Assistants.	
11. Ex.M-11	24-4-72		Lr. No. PF/P-68/14420 issued by Supdt. Staff Dept. with reference to the protection of seniority of the petnr. in the cadre of Head Clerks.	27. Ex.M-24	—	Photostate extract for the seniority list of Head Clerks at Head Office and Branches of State Bank of Hyd.	
12. Ex.M-12	12-10-72		Lr. of the petnr. to the G.M. SBH Hyd. requesting to furnish the date from which he has been treated as Head Clerk for the purpose of seniority and the leave records after adjustments.	28. Ex.M-24(a)	—	Relevant portion marked in Ex. M-24.	
				29. Ex.M-24(b)	—	-do-	
				30. Ex.M-24(c)	—	-do-	

K. SUBBA RAO, Chairman  
Additional Industrial Tribunal, A.P. Hyderabad.  
[NO. L-12012(114)/77-DII(A)].

New Delhi, the 21st October, 1982

**S.O. 3745.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta, in the industrial dispute between the employers in relation to the management of State Bank of India and their workman, which was received by the Central Government on the 12th October, 1982.

# CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL

## AT CALCUTTA

Reference No. 86 of 1980

### PARTIES :

Employers in relation to the management of State Bank of India

AND

Their workmen

### PRESENT :

Mr. Justice M. P. Singh, Presiding Officer.

### APPEARANCES :

On behalf of Employers—Mr. P. K. Mukherjee, Advocate, with Mr. S. K. Datta, Advocate.

On behalf of Workmen—Mr. M. M. Saha, Advocate.

STATE : West Bengal.

INDUSTRY : Banking.

### AWARD

By its Order No. L-12012/151/79-D.I.A. dated 23rd October, 1980, the Government of India, Ministry of Labour sent the following dispute to this Tribunal for adjudication :

"Whether the action of the management of State Bank of India, Calcutta in retiring Shri Baijnath Ram, Jamadar, Behala Branch with effect from 10th September, 1978 is justified? If not, to what relief is the workman concerned entitled."

2. From the terms of reference it is clear that the management of the State Bank of India, Calcutta got Baijnath Ram, Jamadar retired with effect from 10th September, 1978 and the question is whether the action of the Bank is justified. According to the Bank, the date of birth of Baijnath Ram is 11th September, 1918 but according to the workman his date of birth is February, 1920. The question to be determined is which date of birth is correct. On the evidence on record I have no hesitation in holding that the version of the Bank is correct.

3. Baijnath Ram, the concerned workman, was appointed in the services of the then Imperial Bank of India as a Messenger on 10th March, 1944. At that time he duly filled in two forms of declaration, one for Imperial Bank of India Employees Provident Fund (Ext. M-2) and the other the Imperial Bank of India Employees Pension and Guarantee Fund (Ext. M-3) wherein the date of birth was declared as 11th September, 1918. These two forms of declaration were signed by the concerned workman Baijnath Ram himself in presence of witnesses of the Imperial Bank of India. These documents along with other papers were sent by the Imperial Bank of India to the State Bank of India when by the passing of the State Bank of India Act, 1955 the undertaking of the Imperial Bank of India was transferred to the State Bank of India constituted under that Act. The service of existing officers and employees of the Imperial Bank of India was transferred to the State Bank of India under Section 7 of the said Act. By virtue thereof Baijnath Ram became an employee of the State Bank of India.

4. It is to be noticed that the two declaration forms (Ext. M-2 and M-3) were signed by Baijnath Ram himself and they were prepared in October, 1944. The workmen in their written statement have not challenged the correctness of these two documents. They do not say that the entry made therein is wrong. They do not say that any of these two

documents is forged or tampered with. I have looked into these two forms of declaration and I find that they have not been tampered with anywhere. Even in his evidence Baijnath Ram examined as WW-1 had not challenged the correctness of the entries in these two documents. These documents are more than 30 years old. The workmen however relies on a Service-sheet, Ext. M-1, prepared sometime in the year 1960 by the State Bank of India. In this document the age of Baijnath Ram has been recorded as February 1920. The case of the State Bank of India is that a bona fide mistake was committed and error crept in when the date of birth of Baijnath Ram was shown as February, 1920 in the service sheet. This stand of the Bank seems to be correct. The service sheet has a column mentioning that the source of verification of the date of birth should be given. Curiously enough the service sheet does not mention the source of verification of the date of birth. It is important to note that Baijnath Ram entered into service under the management of Imperial Bank of India as a Messenger in Alipore Pay office and not under the management of the State Bank of India. He was transferred to the State Bank of India in the year 1955. He was subsequently transferred to Bhowanipore Pay-office and thereafter to Behala Pay office. The date of birth was mentioned in Exts. M-2 and M-3 in October, 1944, that is say, in the same year in which Baijnath Ram joined his service as a Messenger. As already stated, Baijnath Ram signed them at that very time. The workmen ignore those documents of 1944 and they want to rely on a service sheet which was prepared after 16 years by the State Bank of India to which Bank the service of Baijnath Ram was transferred.

5. It is not in doubt that the service sheet is not prepared under any statute or under any Rule framed under any Statute. In my opinion, the service sheet has no statutory force and in the present case it cannot be preferred to the two old documents when the correctness of the entry in those two documents is not challenged. In the circumstances, I am not prepared to accept the service-sheet (Ext. M-1) in preference to Exts. M-2 and M-3. I believe the correctness of Exts. M-2 and M-3 and hence it must be held that the correct date of birth of Baijnath Ram is 11th September, 1918 as recorded in Exts. M-2 and M-3.

6. It is submitted on behalf of the workmen that MW-1 S. K. Biswas, the Branch Manager at Behala had recommended for extension of service of Baijnath Ram. That is true. But Mr. S. K. Biswas himself has made it clear in his evidence that he had done so on the basis of the service sheet, Ext. M-1 which was then available in the Behala branch of the State Bank of India. Thereafter the State Bank of India had occasion to look into the service records of Baijnath Ram and when it found that the correct date of birth as recorded in Exts. M-2 and M-3 was 11th September, 1918 it asked the Branch Manager to retire Baijnath Ram with effect from 10th September, 1978. This was done. So, the union cannot take advantage of the recommendation of Mr. S. K. Biswas who had no occasion to see Exts. M-2 and M-3. It is also to be noted that Baijnath Ram on 5th May, 1980 wrote a letter to the Chief General Manager for payment of gratuity on the basis of retirement on 10th September, 1978. That was paid to him. In my opinion this is also a circumstance against Baijnath Ram.

7. It was next urged on behalf of the Union that 11th September, 1918 could not be the date of birth because in that case Baijnath Ram would be 25 years 6 months old, that is say, over-aged at the time of his initial appointment which prima facie be ineligible for appointment. The argument is based on surmise and conjecture. Documentary evidence, Exts. M-2 and M-3, cannot be thrown out on this imaginary contention. It is not known whether there was any maximum age limit for appointment of a Messenger in Imperial Bank of India at that time or whether the appointing authority had power to condone the over age or whether Baijnath Ram was working on a temporary basis even prior to his regular appointment on 10th March, 1944. I think that it is not permissible to proceed on conjecture ignoring the material evidence on record.

8. It was next urged that MW-1 Mr. S. K. Biswas had said in his evidence in cross-examination that at the time of appointment a Memorandum of application is taken by the management from the appointee. It is to be noted that he



does not say that the Imperial Bank of India used to take such memorandum of application. He may be speaking about the State Bank of India. He was not competent to say anything about the Imperial Bank of India where he had never worked. The contention thus has no force.

9. Lastly it was argued on behalf of the workmen that in the service-sheet there is Reference to CR 622. It is however clear that this reference relates to the date of confirmation of Baijnath Ram on 10th September, 1944 and it does not relate to the date of birth. I have already said that the column which requires the source of verification on the date of birth has not been filled up and is blank. So this contention also is without any merit.

10. The Bank has filed several other documents. But they are not material for ascertaining the date of birth and therefore, it will not be useful to discuss them.

11. After considering the evidence on record and the submissions raised on behalf of the bank my award is that the action of the management of the State Bank of India Calcutta in retiring Baijnath Ram, Jamadar, Behala branch with effect from 10th September, 1978 is justified and, therefore, the concerned workman Baijnath Ram is not entitled to any relief.

Dated, Calcutta,

The 23rd September, 1982.

M. P. SINGH, Presiding Officer  
[No. L-12012(151)/79-D.II(A)]  
A. K. SAHA MANDAL, Desk Officer

New Delhi, the 21st October, 1982

**S.O. 3746.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, No. 2, Bombay in the industrial dispute between the employers in relation to the management of Messrs Hirachand M. Shah, Shipping, Clearing and Forwarding Agent, Bombay and their workmen, which was received by the Central Government on the 11th October, 1982.

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, BOMBAY**

**Reference No. CGIT-2/32 of 1981**

**PARTIES:**

Employers in relation to the Management of Messrs  
Hirachand M. Shah, Shipping, Clearing and Forwarding Agent, Bombay,

**AND**

Their Workmen.

**APPEARANCES:**

For the Employers : 1. Shri I. C. Mullaji, Advocate.  
2. Shri Deepak H. Shah, Ex-partner.

For the workmen Shri I. S. Sawant,  
Asstt. Secretary,  
Transport & Dock Workers,  
Union,  
Bombay.

**INDUSTRY:** Ports and Docks. **STATE:** Maharashtra.  
Bombay, the 27th September, 1982

**AWARD**

(Dictated in the open court)

By order No L-31011(12)/81-D.IV(A) dated 17th December, 1981 under Section 10(1)(d) of the Industrial Disputes Act, 1947  
880GI/82—5

Act, 1947 the following dispute has been referred for adjudication and it relates to the termination of in all 12 employees who were formerly in the service of a firm called M/s. Hirachand M. Shah doing the business as Shipping, Clearing and forwarding Agent at Bombay. Shri Mulaji on behalf of one of the employers says that it was a registered firm under the Indian Partnership Act:—

“Whether the action of the management of Messrs Hirachand M. Shah, Shipping, Clearing and Forwarding Agent, Bombay in terminating the services of the undermentioned 12 workmen is justified? If not, to what relief are the workmen concerned entitled?”

**Names of the workmen:**

1. Shri Ramchandra T. Gite
2. Shri Venilal D. Doshi.
3. Shri Usman Shah Bawa.
4. Shri Kanak D. Bhatt.
5. Shri Dhyandeo N. Adsul.
6. Shri Kantilal D. Joshi.
7. Shri Bhiku D. Badavate.
8. Shri Narendra C. Shah.
9. Shri Pandurang K. Sangle.
10. Shri Girdhar M. Sisupal.
11. Shri Abdul Gani.
12. Shri Shantilal M. Mota.

2. The Union, which is espousing the cause of the workmen contends that these workmen who were in the service of the firm ranging from 10 to 25 years, one fine morning received notice of retrenchment dated 30th April, 1980 terminating their service with effect from 1st May, 1980 without following the procedure and without making any payment as required under Section 25F of the Industrial Disputes Act, 1947. It is therefore contended that the notice of retrenchment is not valid, that even after 30th April, 1980 the business of the firm is going on in full swing and therefore the workmen are entitled to the various reliefs,

3. Today on behalf of the Union it was conceded that since after the retrenchment all these employees are gainfully employed and accordingly they are no longer interested in seeking re-employment with the firm but would be satisfied with the various monetary reliefs.

4. From the written statement as well as the say filed by Shri Vinod H. Shah it is evident that the brothers who were partners of the firm because of inter-se controversy are not seeing eye-to-eye and Shri Deepak H. Shah that is one of the brothers who issued the notice dated 30th April, 1980 for termination of services himself served on Shri Vinod H. Shah a notice of dissolution of the partnership dated 17th June, 1980 and served on the partner brother on 19th June, 1980 and it is alleged that the partnership was at will and the same stood dissolved from 19th June, 1980. The said brother also filed a suit in the City Civil Court, Suit No. 3931 of 1980 instituted on 16th July, 1980, during the pendency of which I am told, a notice of motion for appointment of Receiver was taken out for taking in his possession the assets and business of the firm but Shri Deepak Shah could only succeed in getting the order of appointment of Receiver for books of accounts only. In other words the request for appointment of Receiver for taking possession of the business etc. stood impliedly rejected.

5. Written statement has been filed by Shri Vinod H. Shah who inter-alia contends that the Union is not entitled to raise the present dispute and further contends that the reference is bad for non-joinder of Shri Deepak H. Shah, another partner, contention no longer survives because he is a party to the dispute and filed his say also. Shri Vinod Shah further contends that by notice dated 12th September, 1980 all the workmen were called upon to report for work forthwith but none of them was ready and willing to join the duties accordingly. He has also denied to have served the notice retrenching the services of the workers on 30th April, 1980.

6. The peculiar feature is that each brother is accusing his counterpart of the collusion and conspiracy with the workmen in an attempt to avoid the ultimate responsibility.

7. It has been contended that the present reference cannot lie because of the Union is not entitled to espouse the cause of the workmen. In the first place this is a reference about wrongful termination of service and secondly it has been espoused by the Union of which the workmen, arc, I am told, their members and therefore the contention that the reference is bad cannot survive.

8. The parties including the Union have not adduced any oral evidence but the same is unnecessary in the present case because of the admitted facts. The record speaks that there is no love lost between the two brothers who have ultimately taken the dispute to the City Civil Court for dissolution of partnership etc., But the workmen who were in the service of the firm admittedly cannot have concern with the inter-se disputes of the two brothers—partners of the firm and they are interested in getting their rights back and also getting the various reliefs as contemplated under Section 25F of the Industrial Disputes Act. The fact that remains is that one of the partner namely Deepak Shah did serve the notice of retrenchment or termination dated 30-4-1980 to be effective from 1-5-1980. Shri Vinod Shah the other brother is denying to have played any part in the game but one thing remains that there was a notice of retrenchment against these workmen. Admittedly the workmen were in the service of the firm for the period ranging from 10 to 25 years. Now under Section 25F of the Industrial Disputes Act no workmen employed in any industry who has been in continuous service for not less than one year under an employer shall be retrenched by that employer until one month's notice in writing has been given or the workmen has been paid in lieu of such notice wages for the period of the notice and the workmen has been paid at the time of retrenchment, compensation which shall be equivalent to fifteen days' average pay for every completed year of continuous service or any part thereof in excess of six months and the other requirement that notice in the prescribed manner is served on the appropriate Government. Even ignoring the requirements of clause (c), it was incumbent on the partners of the firm to fulfil the condition laid down under Section 25F (a) and (b), which admittedly remained to be fulfilled and consequently the notice of termination or retrenchment is ex-facie invalid and could not have brought about the severance of the relationship of employer-employee.

9. In the given circumstances the workmen would be entitled to reinstatement with back wages from 1st May, 1980 onwards. However today it was conceded by Shri I. S. Sawant on behalf of the Union who is espousing the cause of the workman that since after the termination of service or retrenchment all the workmen succeeded in securing the employment. Consequently no relief of reinstatement can be granted. So far as compensation for the period during which the workmen remained unemployed, instead of passing any order in the absence of any proof the only direction which can be given is that the workmen shall be entitled to compensation equal to their emoluments for the period from 1st May, 1980 till the date of re-employment.

10. So far as the other reliefs which are contemplated under Section 25F of the Act the workmen shall be entitled to one month's notice pay and compensation of 15 days' average pay for every completed year of continuous service or any part thereof in excess of six months, which compensation shall be paid by the firm, or the partners, as may be determined by the City Civil Court in the Suit above mentioned.

11. Besides this the firm or the partners to the extent, as stated shall be liable to pay gratuity and Provident Fund as may be legally due and leave salary if there be any leave to their credit.

Award accordingly. No order as to costs.

M. A. DESHPANDE, Presiding Officer

[No. L-31011/12/81-D.IV(A)]

**S.O. 3747.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta in the industrial dispute between the employers in relation to the management of Calcutta Port Trust, Calcutta and their workmen, which was

received by the Central Government on the 15th October, 1982.

# CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA

Reference No. 24 of 1981

## PARTIES:

Employers in relation to the management of Calcutta Port Trust, Calcutta,

AND

Their Workmen.

## APPEARANCES:

On behalf of Employers—Mr. D. K. Mukherjee, Industrial Relation Officer.

On behalf of Workmen—Mr. Paresh Bose, Assistant Secretary of the Union.

STATE: West Bengal.

INDUSTRY: Port.

## AWARD

By Order No. L-32012(4)/81-D.IV(A) dated 21st May, 1981, the Government of India, Ministry of Labour referred the following dispute to this Tribunal for adjudication:

"Whether the action of the management of Calcutta Port Trust in showing Shri Abdul Yasin as junior to Shri Akhil Ranjan Das and reverting him from the post Serang, S.D. "Churni" to the post of Tindal is justified? If not, to what relief is the concerned workman entitled?"

2. Both the concerned workmen, namely Akhil Ranjan Das and Abdul Yasin work in Dredgers under the Dredger and Despatch Service section of the Marine Department of the Calcutta Port Trust (briefly, the CPT). They were previously laskars but in course of time they were promoted to the post of tindals. In this case we are not concerned with the period when they were laskars. We are only concerned with the period when they were tindals.

3. From the terms of reference this Tribunal has to find out two things, (i) whether Akhil Ranjan Das is senior to Abdul Yasin and (ii) whether Abdul Yasin was justifiably reverted by the management from the post of Serang in S.D. Churni? Earlier both of them were tindals as already stated. Mr. Das acted continuously in the post of tindal from 1st April, 1964 in the Dredger Bhagirathi and was confirmed there on 1st May, 1965. Mr. Yasin acted continuously on the post of tindal from 7th July, 1964 in Dredger Churni, i.e. after three months of the promotion of Mr. Das to that post. He was confirmed as tindal on 1st May, 1965. It is thus clear that the length of service of Mr. Das as tindal was longer than that of Mr. Yasin by at least three months. Both of them were confirmed on the same day, 1st May, 1965 on that post. Clause (iii) of the Promotion Rules of CPT runs as follows:

"(iii) When two or more men are confirmed in the same grade on the same date, or when two or more men have been acting in the same grade but have not been confirmed in grade, the men with the longer service in the grade should be regarded as senior."

From the above it is clear that Mr. Das was rightly held to be senior to Mr. Yasin by the management. It appears that by mistake the management had allowed Mr. Yasin to act as Deck Serang in Dredger Churni from 26th April, 1978 to 28th February, 1981. Thereafter Mr. Yasin was transferred to Dredger Mohana as Deck Serang with effect from 1 March, 1981 as acting Deck Serang where he worked upto 28th April, 1981. He was on earned leave for some time. Later he was transferred to Dredger Bhagirathi with effect from 16th July, 1981. All this was done because the management thought by mistake that he was senior to Mr. Das. Later when the discrepancies were pointed out by the National Union of Waterfront Workers by their letter dated 27th May, 1980, the management found that Mr. Das was

senior to Mr. Yasin. It may be stated here that the National Union of Waterfront Workers raised the aforesaid dispute contending that Mr. Das was senior to Yasin with the Superintendent, Dredger & Despatch Service by their letter dated 27th May, 1980 as aforesaid and thereafter they raised the dispute with Assistant Labour Commissioner (Central), Calcutta also before whom the parties concerned agreed to settle the dispute and hence the dispute was treated as closed. The management reverted Mr. Yasin from the post of Serang to the post of tindal with effect from 16th February, 1981. I have already stated that this was done on the discrepancies having been pointed out by the National Union of Waterfront Workers. There is thus nothing wrong in the action of the management. Only the wrong was set right. Clearly Mr. Das was senior to Mr. Yasin. There is no mala fide, no unfair practice and no victimisation in making the order which the management passed in respect of seniority of Mr. Das.

4. The Calcutta Port Sramik Union by their letter dated 3rd February, 1981 raised the present industrial dispute before the Assistant Labour Commissioner (Central) Calcutta alleging that Yasin was senior and that the seniority of Yasin had been properly decided. This gave rise to the present reference. From the above it is clear that there is no substance in the contention of the Calcutta Port Sramik Union. It is obvious that the management did the right thing in reverting Mr. Yasin and in declaring Mr. Das senior to him. It will not be out of place to mention here that Mr. Yasin also would not suffer. In fact after 16th February, 1981 when Mr. Yasin was reverted to the post of tindal, he was again transferred to Dredger Bhagirathi from 16th April, 1981 as Deck Serang. Deck Serang has no further avenue of promotion. Therefore, there will be no adverse effect on the future career of Mr. Yasin on account of his being placed junior to Mr. Das.

5. A propos my Award is that the action of the management of Calcutta Port Trust in showing Sri Abdul Yasin, a junior to Sri Akhil Ranjan Das and reverting him from the post of Serang SD Churni to the post of tindal is justified. Sri Abdul Yasin therefore is not entitled to any relief.

Dated, Calcutta, M. P. SINGH, Presiding Officer  
The 5th October, 1982. [No. L-32012/4/81-D.IV(A)]

**S.O. 3748.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, No. 1, Bombay in the industrial dispute between the employers in relation to Messrs M. M. Poonjiaji and Company Bombay and their workmen, which was received by the Central Government on the 18th October, 1982.

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1 AT BOMBAY

Reference No. CGIT-17 of 1978

#### PARTIES :

Employers in relation to M/s. M. M. Poonjiaji and Company, Bombay,

AND

Their Workman.

#### APPEARANCES :

For the employer—Mr. H. H. Madan, Advocate.

For the Transport and Dock Workers' Union, Bombay—  
Mr. S. R. Wagh, Advocate.

INDUSTRY : Ports and Docks STATE : Maharashtra  
Bombay, the 27th day of September, 1982

#### AWARD

The Government of India, Ministry of Labour, by order No. L-31012(2)/78.IV(A) dated 24th May, 1978, in exercise

of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, have referred to this Tribunal for adjudication an industrial dispute between the employers in relation to M/s. M. M. Poonjiaji and Company, Bombay, and their workman in respect of the matters specified in the schedule mentioned below :—

#### SCHEDULE

"Whether the action of the management of Messrs M. M. Poonjiaji and Company, 42, First Marine Street, Bombay-2, in having terminated the services of Shri P. B. Bharucha, Dock Clerk, from 21st October, 1977 is justified? If not, to what relief is the concerned workman entitled?"

2. In this reference the employer, M/s. M. M. Poonjiaji and Company, has raised certain preliminary objections which according to it go to the root of the matter and affect the jurisdiction of this Tribunal to hear and decide this reference. The company is a partnership firm. It does the business of manufacturing and selling pickles, chatneys, curry powder, etc. The company exports the said products also. The factory of the company is at 1st Marine Street, Bombay. The office of the company is also at 1st Marine Street, Bombay. It appears that the workman, P. B. Bharucha, was going to the docks in connection with the export of the pickles of the company. As admitted by the workman in his deposition, he used to go to the docks in three or four days in a month. He also admitted that he was also going house to house for selling pickles after finishing the docks work. The company was giving him commission for that work. According to the employer-company, there was no relationship of master and servant between the company and the workman nor was there any contract of employment between the parties. The company contended that the workman was going shipping and carting work of the company on professional basis for which he was paid specified contracted rates as stated in the written statement of the company.

3. The first preliminary objection raised by the company is that the industry or trade of the company is not carried on under the authority of the Central Government. The company is not doing the port work. According to the company, the "appropriate Government" would be the State Government and not the Central Government, and, therefore, the reference made to this Tribunal by the Central Government is bad in law.

4. The second preliminary objection raised by the company is that there was never an "industrial dispute" between the management and the workman employed under the company. The workman of the company have never espoused the cause of workman Bharucha. The workman of the company have never been the members of Transport and Dock Workers' Union (hereinafter referred to as the "Union") which has espoused the cause of Bharucha. It is contended by the company that the said dispute cannot therefore be said to have acquired the character of an industrial dispute. The Union had nothing to do with the present company. It is therefore submitted that the reference is bad on this ground also.

5. One more preliminary objection raised was that the name of the company was wrongly mentioned in the order of reference as "Messrs Poonjiaji and Company". The name of the company is Messrs M. M. Poonjiaji and Company. The reference is bad in law on this count also. The following issues were, therefore, framed as preliminary issues :—

(i) Whether the "appropriate Government" is the Central Government or the State Government, and whether the reference by the Central Government Industrial Tribunal, is maintainable.

(ii) If the Central Government is the "appropriate Government", whether the Transport and Dock Workers' Union has locus standi to espouse the cause of Bharucha, and whether the reference is legal, valid and proper, on that account.

(iii) If the above issue No. 2 is answered in favour of the Union, whether the reference order is legal, valid, and proper on the grounds that the name of the company mentioned in the order of reference is wrong and incorrect.



6. The first preliminary objection is, that the Central Government, in view of the facts of this case is not the appropriate Government. The reference, therefore, made by the Central Government to this Tribunal is incompetent and without jurisdiction. It is submitted that the activity of the company is not concerning a major port. It is urged that the Central Government would be the appropriate Government in relation to an industrial dispute concerning a major port. Relying upon the decision in *Continental Construction (P) Ltd. v. The Government of India* (1977 L.I.C. p. 1199), it was submitted that the word "concerning" appearing in Section 2(a)(i), which defines 'appropriate Government' must be construed in a reasonable manner, and as referring to such industrial disputes only which have got approximate, intimate and real connection with the corporations or authorities mentioned in the said definition. It is submitted by way of analogy that in an industrial dispute concerning a banking company the Central Government would be the appropriate Government. However, if a private company sends its servant to the bank for their Bank work, the dispute between that private company and the servant will not be a dispute concerning a banking company and the Central Government, therefore, will not be the appropriate Government. It was further submitted that the company is not doing port work and the company is not acting as clearing or shipping agent doing the business for others. The company only exports a few products prepared by it on a few days in a month. The company does not therefore do the port work. Similarly, it is submitted that the workman cannot be said to have done the port work merely by taking the products of the company into the premises of the docks.

7. Mr. Wagh, the learned counsel for the Union, did not dispute that the company did not do the work of clearing and shipping. He has, however, submitted that the company exports its own products, and that therefore the nature of the work done by the company is similar to the work as is done by clearing and shipping agents. It is further submitted that the workman is a dock worker and for that reason also the Central Government will be the appropriate Government. Now, before referring to the legal position in this behalf it would be proper to advert to the factual aspects of the case as disclosed from the material on record. In the hearing of the preliminary objections the Union examined the workman Bharucha as UW-1. He stated in his deposition that he was working as a dock clerk in Bombay. He produced a copy of the dock entry permit issued in his favour by the Docks Manager. He also produced an identity card issued by the company. This card authorised the workman to transact the business in New Custom House/Docks. In his deposition he stated that he used to go to the docks in connection with the export of the pickles of the company. He was required to go to the docks on three or four days in a month. The company was giving him commission for that work. Initially, the company did not examine anybody on their behalf. I, however, insisted on the company to examine somebody on their behalf so that it would assist the Tribunal in arriving at the proper conclusions. Accordingly, Mr. K. D. Poonjaji was examined as EW-1 on behalf of the company. He was cross-examined on behalf of the workman. He is a partner of the company. He stated that they manufacture pickles, condiments, etc. They are made for selling in local market as well as for exports. Exports are by sea. They have no clearing agents. All the work in connection with the export, preparing the documents to the stage of loading the goods on the ship is done by the company. He added that all the documents pertaining to the shipments are completed in their office. Then they have to send these documents to the Custom for verification. The work of taking the documents to the Customs is done by him or by his clerk. The workman also did that work sometime. The goods are transferred from their godown to the docks, either by truck or by hand cart. Sample checking of the goods is made at the customs to verify whether the goods are the same. After the goods are examined they left the goods at the docks. The work of loading these goods in the ship is done by the shipping company itself. The workman sometime used to take the documents to the Customs for verification for passing the shipping bills. The workman was to arrange for trucks or handcarts. He stated that his workmen used to load the truck or handcarts. He further stated that unloading was done at the docks by their workers. According to him, no other work except the work referred to by him in his deposition was done by the workman Bharucha. He stated that the company does not do

the work of clearing agents. He also stated that the company did not do the work of others in connection with the shipment or loading or unloading of the goods in the docks. In his cross-examination he stated that if one does not do the work of exporting his goods himself he has to appoint a Customs Clearing Agent for that work. Such clearing agents have to obtain licence from the Customs Authorities for doing that business. Even if one does the work of exporting his goods he has to apply to the Customs authorities.

8. On behalf of the Union, one document i.e. a letter written by the Asstt. Collector of Customs on 13th September, 1979, to the Transport and Dock Workers' Union, has been produced. That letter states :—

"M/s. M. M. Poonjaji and Co. are not holding any C.H.A. Licence. However, the company is registered with us for transacting Customs business on self business. No licence number is assigned in such cases and their Customs business is limited to that Company's products only."

9. All these material will show that the company does not act as shipping and clearing agent for others. The company is concerned with its own work of exports only. The workman stated he was required to go to the docks for this work three or four days in a month. The question for consideration is whether the work carried on by the company is a work concerning a major port so that the appropriate Government will be the Central Government.

10. Now, I will refer to some of the decisions having a bearing on the point. In *Tulsidas Khimji v. Jeejeebhoy* (1961 I L.L.J. 42). A partnership firm was running four departments—(1) clearing and shipping, (2) godown department, (3) the insurance department, and (4) the cotton supervising and controlling department. The employer retrenched some of the employees in the departments of clearing and shipping and godown department. The Central Government referred the dispute for adjudication. The validity of such reference was challenged, inter alia, on the ground that the Central Government was not the appropriate Government. The contention was repelled by the Division Bench of the Bombay High Court with the following observations :—

"Now, in the first place, the contention as is urged before us was not raised before the industrial tribunal. There was a preliminary point as to jurisdiction taken before the tribunal, but the contention raised there was that the order of reference included workmen in their employment other than those engaged in the clearing and shipping work at the docks and the Central Government therefore had no jurisdiction and authority to make an order referring the industrial dispute to adjudication relating to workmen other than those employed at the docks. Mr. Gupta's argument, therefore, that none of the activities of the petitioners concern a major port cannot be allowed to be entertained in this special civil application."

It was further observed that the notice has been served in respect of the retrenchment by the petitioner on the Central Government, as the appropriate Government and that the petitioner themselves had accepted the position that the Central Government was the appropriate Government in relation to the dispute connected with the retrenchment in that case. It was further found in that case that the partnership firm had a godown department and 25% of the space in the godown was utilised for storing the goods for clearing and shipping. The High Court observed that in view of these circumstances it could not therefore be said that the activity of the godown department had no relation to major port. It was, therefore, held that the Central Government had the authority to make the reference.

11. The next decision relied upon by the company is between *Serajuddin and Company and their workmen* (1962 I L.L.J. 450). There the company was engaged in the business of carrying on mining operations in the State of Orissa having a head office at Calcutta. Separate staff was employed at the site of the mines for supervising the work of mining operations. It was held that the head office of the company at Calcutta could not be considered an integral part of the mines. The reference, therefore, made by the State Govern-

ment was held to be valid. Strictly speaking, this decision is not applicable to the facts of this case. A decision in the case of Continental Construction (P) Ltd. v. The Government of India (1977 L.I.C. 1199) was also relied upon. There the appellant, a private limited company, had entered into a contract with the Visakapatnam Port Trust for the construction of Break-Waters and Jetties, in connection with the construction of the outer harbour at Visakapatnam. A dispute having arisen between the appellant company and its workmen, it was referred for adjudication to the Industrial Tribunal (Central), Hyderabad, by the Central Government. The contention raised by the company was that the Central Government was not the appropriate Government as defined by clause (a) of Section 2 of the Industrial Disputes Act. While repelling this contention it was observed by the Andhra Pradesh High Court :—

"The word 'concerning' appearing in S. 2 (1)(i), which defines 'appropriate Government' must be construed in a reasonable manner, and referring to such industrial disputes only which have got a proximate, intimate and real connection with the corporations or authorities mentioned in the said definition. An industrial dispute between a contractor engaged by the Visakapatnam Port Trust for the construction of Break-waters and Jetties in connection with the outer harbour at Visakapatnam Port and his workmen is likely to affect the progress of the work and would directly affect the port. Such a dispute is thus closely connected with the major port. Hence the appropriate Government to make a reference is the Central Government."

12. One more decision may be noticed. It is the one in P. K. Pillai v. Burma Shell Oil Storage and Distributing Co. of India Ltd. (AIR 1956 Kutch 9). It is the decision of the Judicial Commissioner wherein the Judicial Commissioner held that the business of the Burma Shell Oil Storage and Distributing Company having an office at Kandia Port could not be said to be a business concerning a major port. It was observed that if there is a dispute between the Port authorities and their workmen or between people doing the Port work and their workmen the expression "in relation to any industrial dispute concerning a major port" would be applied to such a case. It was held in that case that the company was neither a Port authority nor doing the Port work. The mere circumstance that the company was having its office in the Port and was doing its business in the Port was not held sufficient to hold that the Central Government would be the appropriate Government.

13. It would appear that in order that the appropriate Government would be the Central Government the dispute must be closely or proximately connected with the Port or that the employer should be either the Port authority or some person or company doing the Port work. The question is whether on the facts in this case it can be said that the company is doing the Port work. As is pointed out it is abundantly clear that the company is not doing the work as clearing or shipping agent for others. The company exports its own goods. For that purpose a servant or a person appointed by it has to go the Port three or four days in a month. It is clear from the letter of the Customs authorities referred to above that the company is allowed to do its own work only. As observed in the decision of the Andhra Pradesh High Court (supra) the word "concerning" appearing in Section 2(a)(i) which defines appropriate Government must be construed in a reasonable manner. It must be construed as referring to such industrial dispute only which have got a proximate intimate and real connection with the corporations or authorities mentioned in the said definition. Having regard to the facts established in this case and the legal position as is seen from the decisions noticed above, I am inclined to hold that the dispute in the present reference is not an industrial dispute concerning a major port. The Central Government, therefore, in my opinion was not the appropriate Government and the reference, therefore, made by the Central Government is not competent.

14. Mr. Wagh, the learned counsel for the Union, submitted that the workmen is a dock worker as defined in the Dock Workers (Regulation of Employment) Act, 1948. That Act defines the expression "dock worker" as meaning a person employed or to be employed in, or in vicinity of, any port on work in connection with the loading, unloading, move-

ment or storage of cargoes, or work in connection with the preparation of ships or other vessels for the receipt or discharge of cargoes or leaving port. It is very doubtful whether on the facts established, the workman who did the work in connection with taking of the goods of the company in the docks for three or four days in a month can be said to be a dock worker. Assuming that he is a dock worker the question for my consideration is whether the dispute raised in this reference is concerning a major port. As I have said above the dispute, in my view, is not concerning a major port.

15. The next preliminary objection is that the workmen of the company have never been the members of the Transport and Dock Workers' Union and the workmen of the company have not espoused the cause of Bharucha. It is, therefore, submitted that the so called dispute cannot be said to have acquired the character of an industrial dispute. Now, the facts that emerge from the material placed on record is that the workman is a member of the said Union. That fact has been established. The constitution of this Union has been placed on record. One of the objects of this Union is to secure to the members fair conditions of life and service and to try to redress their grievances. Distinguishing the case in Bombay Union of Journalists v. The "Hindu", Bombay (1961 II L.L.J. p. 436 SC) the Supreme Court observed in the case of Workmen of Dharampal Premchand (Saughandhi) v. Dharampal Premchand (Saughandhi) (1965 I L.L.J. 668) :—

"The union of workmen working in one industry may be competent to raise a dispute about the wrongful dismissal of an employee engaged in an establishment belonging to the same industry where workmen in such an establishment have no union of their own, and an appreciable number of such workmen had joined such other union before their dismissal. In fact, the object of trade union movement is to encourage the formation of larger and bigger unions on healthy and proper trade union lines; and this object would be frustrated if industrial adjudication were to adopt the rigid rule that before any dispute about wrongful dismissal can be validly referred under S. 10(1) of the Act, it should receive the support of the union consisting exclusively of the workmen working in the establishment concerned."

It, however, appears that the ratio in this decision would be attracted if a substantial number of workmen of a particular establishment become members of a Union which is not strictly speaking the Union in that establishment. If a substantial number of the co-workers of a dismissed workman are the members of that Union it can be said that the cause of the workman is espoused by a substantial number of his co-workers, through that Union. Such is not the case here. It is established from record that no other employee of the company is a member of this Union. I am, therefore, of the view that the dispute in the present reference cannot be said to have acquired the character of an industrial dispute. However, in view of my decision that the Central Government cannot be said to be the appropriate Government this point need not be decided.

16. One more objection raised on behalf of the company was that the name of the company was wrongly mentioned in the order of reference as "Messrs Poonjiaji and Company". The name of the company is "Messrs M. M. Poonjiaji and Company". This objection does not however survive in view of the corrigendum issued by the Central Government by its order dated 8th September, 1982, which is on record.

17. In view of the above discussion, I hold that the reference made by the Central Government which in my opinion is not the appropriate Government, is not competent. The reference, therefore, is rejected. No order as to costs.

Sd/-

M. D. KAMBLI, Presiding Officer

[No. L-31012/2/78-D.IV(A)]

T. B. SITARAMAN, Desk Officer



New Delhi, the 22nd October, 1982

**S.O. 3749.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta, in the industrial dispute between the employers in relation to the management of Parasea Colliery of Eastern Coalfields Limited and their workmen, which was received by the Central Government on the 19th October, 1982.

**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL  
AT CALCUTTA**

**Reference No. 11 of 1981**

**PARTIES :**

Employers in relation to the management of Parasea Colliery of Eastern Coalfields Limited.

AND

Their Workmen.

**PRESENT :**

Mr. Justice M. P. Singh, Presiding Officer.

**APPEARANCES :**

On behalf of Employers—Mr. N. Das, Advocate.

On behalf of Workmen—Mr. D. L. Sen Gupta, Advocate with Mr. S. Bhattacharjee, Advocate.

**STATE :** West Bengal

**INDUSTRY :** Coal.

**AWARD**

By Order No. L-19012(62)/80-D.IV(B) dated 27 February, 1981 the Government of India, Ministry of Labour, referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Parasea Colliery of Eastern Coalfields Limited, Post Office Kajoragram, District Burdwan in superannuating Shri Sisir Dasgupta, Senior Compounder, Parasea Colliery with effect from 15-7-1979 is justified? If not, to what relief is the concerned workman entitled?"

2. The simple question in this reference is as to whether Sisir Dasgupta, Senior Compounder in Parasea was justifiably superannuated with effect from 15 July, 1979. I think that the action of the management in so doing is not justified.

3. He was first retired with effect from 30th June, 1979. The relevant notice for that is dated 14 May, 1979 (Ext. M-1). After receiving this notice he made a representation dated 12 June 1979 (Ext. M-2) stating that his date of birth was wrongly recorded by the colliery office and that the same be compared with the Coal Mines Provident Fund record, Asansol (in which his date of birth was 1st July 1924). The management then took steps to ascertain the age of Sisir Dasgupta. MW 1 S. B. Srivastava, the then Deputy Personnel Manager along with the Personnel Manager Mr. Shyamal Sen went to the office of the Regional Provident Fund Commissioner, Asansol and both of them looked into the form A declaration (Ext. M4). After looking into the same they were satisfied that the date of birth was 1st July, 1924. MW 1 then reported the matter to the General Manager, Khunstoria Area about the same and the General Manager then cancelled his previous order regarding the retirement of Sisir Dasgupta and asked him to resume duty. Sisir Dasgupta received this sanction for resumption of duty through letter dated 4th July, 1979 (Ext. M-3) written by the Agent, Parasea Colliery. In that letter it was stated that the General Manager was pleased to accord his approval to his continuing in service and he should resume his duty immediately. It was also stated that the General Manager had accepted his date of birth as 1st July, 1924. Sisir Dasgupta resumed his duty. Thereafter somebody from Parasea Colliery sent Mr. S. B. Srivastava (MW 1) a telephonic call that in the declaration form A

there had been tampering and that it should examine closely. MW 1 then again went to the office of the Regional Provident Fund Commissioner, Asansol and re-examined form A and found it pasted. He further found interpolation at two places. He again reported the matter to the General Manager who cancelled his previous order regarding resumption of duty and then Sisir Dasgupta was asked to retire by letter dated 13th July, 1979 (Ext. M-5). MW 1 has further deposed that in form B register, Ext. M-6, which is maintained by the Colliery under the Mines Act the age of Sisir Dasgupta was recorded as 43 years on his date of appointment 28th October, 1949 and the management had relied upon it when they found that form A had been interpolated. In my opinion the action of the management is not justified. In the first instance the management verified the age of Sisir Dasgupta from the declaration form A (Ext. M 4) and it found that the date of birth was 1st July, 1924. This date was accepted by the General Manager and this acceptance was communicated to Sisir Dasgupta who acting upon that acceptance resumed his duty. MW 1 has said in his evidence that in such cases the management sends the matter to the Medical Board for determining the age. That was not done in the present case. Sisir Dasgupta had raised objection to the correctness of the entry regarding his age in Form B register by filing representation dated 12th June, 1979. In his evidence MW 1 says that the management is still ready to get his age determined through Medical Board. Mr. N. Das, Advocate, appearing for the management also made such a prayer while opening the case and also by filing a petition to that effect before this Tribunal. The petition was rejected then and there. It is now too late for the management to take such a stand after about four years of the dispute. MW 1 S. B. Srivastava says in his evidence that there is interpolation in Form A (Ext. M4) at two places—one is against the column 'Thana' and the other against the column 'date'. He however has clearly admitted in his evidence that there is no interpolation in the date of birth "1st July, 1924". He has further said that he has seen forms like A form many times in his life. I have already stated that he found nothing wrong in the declaration form A (Ext. M 4) when he first examined it. He was fully satisfied that the date of birth of Sisir Dasgupta as recorded in Form A was correct and having satisfied himself about the same he reported the matter to the General Manager who accepted it. I have looked into the declaration form A. The cuttings about which Mr. Srivastava has spoken in his evidence appear to be minor. In these circumstances it has to be held that Sisir Dasgupta was continuing in his service on the basis of a contract of employment in which the date of birth was 1st July, 1924 and for the purposes of this case this date of birth has to be accepted.

4. For the foregoing reasons my award is that the action of the management of Parasea Colliery of Eastern Coalfields Limited in superannuating Sisir Dasgupta as Senior Compounder in the Parasea Colliery with effect from 15th July 1979 is unjustified. Accordingly Sisir Dasgupta is entitled to be re-instated with back wages and with all consequential service benefits which may be admissible as per rules of the colliery.

Date, Calcutta,

The 1st October, 1982.

M. P. SINGH, Presiding Officer.

[No. L-19012(62)/80-D.IV(B)]

**S.O. 3750.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 3, Dhanbad, in industrial dispute between the employers in relation to the management of Khot-tadih Colliery of Messrs Eastern Coalfields Ltd., Post Office Pandaveshwar, District Burdwan and their workmen, which was received by the Central Government on the 20-10-82.

**BEFORE THE CENTRAL GOVT. INDUSTRIAL  
TRIBUNAL-CUM-LABOUR COURT NO. 3, DHANBAD**

**Reference No. 29/81**

**PRESENT :**

Shri J. N. Singh, Presiding Officer.



## PARTIES :

Employers in relation to the management of Kottadih Colliery of Eastern Coalfields Ltd., P. O. Pandaveshwar, Dist. Burdwan.

AND

Their workman.

## APPEARANCES :

For the Employers—Shri R. N. Tewari, Deputy Personnel Manager.

For the Workman—Shri Ranjan Dasgupta, Organising Secretary.

INDUSTRY : Coal. STATE : West Bengal.

Dated, the 13th October, 1982

## AWARD

The Govt. of India in the Ministry of Labour in exercise of the powers conferred on them U/S 10(1)(d) of the Industrial Disputes Act, 14 of 1947 has referred the dispute to this Tribunal for adjudication under Order No. 19012(74)/80-D.IV(B) dated the 11th June, 1981.

## SCHEDULE

"Whether the action of the management in relation to Khottadih Colliery of M/s. Eastern Coalfields Ltd., P.O. Pandaveshwar, Dt. Burdwan in superannuating Shri Bhola Nath Roy, Overman with effect from 1-7-79 is justified? If not, to what relief is the workman concerned entitled?"

2. The case of the workman is that he was appointed as Mining Apprentice by the management of Jamuria A & B Pits Colliery in the year 1939 and he passed the overmanship Examination in 1959 and was thereafter posted as a Overman. The overmanship examination is approved by the Chairman of the Board of Mining Examination.

3. It is alleged that in the Overman Certificate there is a column for giving date of birth and the date of birth of the concerned workman as mentioned in the said certificate is 10-4-1921 according to which the concerned workman should have superannuated in the year 1981, but the management issued a notice dated 29-3-1979 to the concerned workman terminating his service with effect from 1-7-1979 on the basis of wrongful maintenance of record regarding the date of birth of Shri Roy the concerned workman in Form B register. It is submitted that on receipt of the said notice the concerned workman protested that his year of birth as noted in the Form 'B' register as 1919 was wrong and that he should retire on the basis of the age as recorded in the overmanship certificate. The management did not agree to the request of the concerned workman and he was stopped from his duty from 1-7-1979. When no action was taken an industrial dispute was raised and after conciliation the present reference has been made. It is submitted that the overmanship examination certificate is a prescribed certificate and the date of birth as mentioned in it is the correct date on the basis of which the concerned workman should have been retired. The concerned workman has challenged his year of birth as mentioned in Form 'B' register. It is therefore, prayed that the concerned workman may be allowed to resume his normal duties with full back wages till the period of his retirement in the year 1981.

7 The management has challenged to maintainability of the Reference on two grounds viz. that the concerned workman is not a workman as defined under the Industrial Disputes Act as his work is entirely of supervisory character and he is drawing more than Rs. 500/- per month. Secondly it is contended that the sponsoring union has got no existence in Khottadih Colliery and there was no resolution of the union to sponsor the case of the concerned workman and that he is not a member of the said union.

8 On merits it is stated that Shri Bhola Nath Roy was in service from 1939 and that his date of birth was record-

ed as 1919 against Sl. No. 1345 in Form 'B' register which has been duly signed by the concerned workman himself. As there was no date of birth hence on the basis of the circular of the management he was retired from 1-7-1979. According to the said circular when year of birth is known but not the exact date, the 1st July should be treated as the date of birth for the purpose of determining the date on which an employee should be held to have attained the retirement age. It is submitted that the coal industry prescribed the age of superannuation at 60 years and on the basis of the said letter and on the basis of the year of birth recorded in Form 'B' register the concerned workman was retired from 1-7-1979 and there has been no illegality. It is also submitted that the Form 'B' register is a statutory register prepared under the Mines Act and as it was duly signed by the concerned workman it should be deemed to be the correct year of birth. It is also stated that the concerned workman never made representation regarding his year of birth before the management till the notice of retirement was given to him and if there was any mistake in recording the year of birth the concerned workman should have represented long ago. Regarding the date of birth as recorded in the overman certificate it is stated that the particular date of birth as mentioned in that certificate was never communicated to the management and the said date of birth was supplied by the concerned workman to the Regional Inspector of Mines Safety when he appeared at the examination and it is a unilateral one at the instance of the concerned workman and hence the management cannot ignore the statutory entries made in Form 'B' register and rely on the age as recorded in the said certificate. According to the management the year of birth viz. 1919 is also recorded in the Coal Mines Provident Fund records which was started sometime in the year 1947 when there could be no question of any dispute regarding the age.

9. On the above grounds it is submitted that the Reference be decided in favour of the management.

10. The point for consideration is as to whether the action of the management in superannuating the concerned workman with effect from 1-7-1979 is justified. If not, to what relief is the workman entitled.

11. From the pleadings of the parties it will appear that the whole case depends on the year of date of birth of Shri Roy. The management superannuated him solely on the basis of the date or year of birth as recorded in Form 'B' register. MW-1 Sri Rameshwar Prasad Singh is Personnel Officer in Khottadih Colliery. He has proved Sl. No. 1345 of Form 'B' register (Ext. M-1) which mentions the name of Sri Roy the concerned workman and the year of birth is 1919. This register also bears the signature of Sri Bhola Nath Roy. Prior to this register there was another Form 'B' register and entry No. 95 of that register also bears the name and signature of Sri Bhola Nath Roy and has been marked Ext. M-1/1. WW-1 is the concerned workman. He has stated in para 4 of his deposition that his date of birth recorded in the first colliery remained the same in all the collieries to which he was transferred. Thus from the above fact it is clear that the year of birth from the very beginning was recorded as 1919 and till the issue of notice for superannuation the concerned workman never raised any objection nor made any representation if his year or date of birth was incorrectly noted in Form 'B' register which is a statutory register.

12. The concerned workman solely relied on the overman certificate (Ext. W-2) which was issued to him on 8-10-1959. In this certificate his date of birth is 10-4-1921 and on the basis of this certificate he has claimed that he should retire in the year 1981. There is another certificate Ext. W-1 which is underground Sirdar certificate in which his age has been shown as 24 years and it is dated 10-4-1945. There is no evidence as to on what basis the date of birth was recorded in Ext. W-2 or how his age was recorded as 24 years in Ext. W-1. It is a matter of common knowledge that date of appointment as also date of birth are mentioned invariably in Form 'B' register on which the signature of the concerned workman is taken. It does not look natural that while putting his signature on Form 'B' register the concerned workman did not look to the year of birth as recorded in it. If there was any mistake he should have made representation then and there and not so late when notice of superannuation was issued against him.

The workman has further stated in para 7 of his deposition that he had given the age at the time of applying for sitting in Mining Sirdarship Examination and Overmanship Examination but that certificate has not been filed in this case nor any explanation has been given as to why it was not filed. The overmanship examination certificate thus in the circumstances cannot be held to be an authentic document proving the age of the concerned workman in face of Form 'B' register which is a statutory document.

13. Considering the above evidence, I hold that the year of birth as recorded in Form 'B' register is correct and the concerned workman was rightly retired with effect from 1-7-1979.

14. The next question is as to whether the sponsoring union has any locus-standing to raise the dispute and whether there was any resolution of the union to take up the cause of the concerned workman. It is also to be seen as to whether he is a member of that union. These preliminary points were taken by the management in the written statement itself but no membership certificate or resolution book has been filed in this case to show that the union in question was authorised to raise the dispute of the concerned workman. There is also no evidence to show that the sponsoring union has any existence in that locality. Not a word has been said

by the concerned workman about the above facts though the very locus-standing of the union was challenged by the management. In such circumstances, it must also be held that the sponsoring union had no locus standing to raise the present dispute and the Reference is not maintainable on that score also.

15. In view of the above findings it is not necessary to decide whether the concerned workman is a workman under the Industrial Disputes Act or not.

16. Under the above circumstances as also on the evidence on record, it is held that the action of the management in superannuating the concerned workman with effect from 1-7-1979 is fully justified and he is not entitled to any relief.

17. The award is given accordingly.

J. N. SINGH, Presiding Officer

[No. L-19012(74)/80-D. IV (B)]

S. S. MEHTA, Desk Officer